

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

FORTY-FIFTH DAY'S PROCEEDINGS

Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, June 19, 2003

The House of Representatives was called to order at 9:00 A.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth

Fannin
Farrar
Fauchoux
Flavin
Frith
Total—104

Morrell
Morrish
Murray
Nevers
Odinet

Welch
Winston
Wooton
Wright

ABSENT

Kennard
Total—1

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Lucas.

Pledge of Allegiance

Rep. Walker led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Walker, the reading of the Journal was dispensed with.

On motion of Rep. Futrell, and under a suspension of the rules, the Journal of June 18, 2003, was corrected to reflect him as voting nay on the rejection of the Senate Amendments to House Bill No. 1009.

On motion of Rep. John Smith, and under a suspension of the rules, the Journal of June 18, 2003, was corrected to reflect him as voting yea on final passage of Senate Bill No. 98.

On motion of Rep. Walker, the Journal of June 18, 2003, was adopted.

Suspension of the Rules

On motion of Rep. Walker, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Suspension of the Rules

On motion of Rep. Murray, House Rule 6.14(A) was suspended.

House and House Concurrent Resolutions
Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 239—

BY REPRESENTATIVES THOMPSON, R. CARTER, NEVERS, AND STRAIN
A CONCURRENT RESOLUTION

To create the Louisiana Dairy Industry Task Force to study issues affecting fair milk prices and to make recommendations to the legislature.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Page 2 HOUSE

45th Day's Proceedings - June 19, 2003

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Concurrent Resolution No. 239 by Representative Thompson

AMENDMENT NO. 1

On page 2, line 5, after "consist of" delete "nine" and insert "eleven"

AMENDMENT NO. 2

On page 2, line 14, after "(5)" delete "One individual" and insert "Two individuals" and after "who" delete "is" and insert "are"

AMENDMENT NO. 3

On page 2, between lines 17 and 18, insert the following:

"(7) The chancellor of the LSU AgCenter or his designee."

On motion of Rep. Thompson, the amendments were adopted.

On motion of Rep. Thompson, the resolution, as amended, was ordered engrossed and passed to its third reading.

Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 128— BY SENATOR SMITH

A CONCURRENT RESOLUTION

To express the support of the legislature relative to the planned purchase by Vanguard SynFuels, LLC of the Farmland Industries, Inc. facilities in the town of Pollock.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

On motion of Rep. Thompson, the resolution was ordered passed to its third reading.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 188— BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Health and Hospitals to compile and release in the annual statistical report the number of abortions by parish and municipality and complications related thereto.

Read by title.

Rep. Durand moved the adoption of the resolution.

By a vote of 91 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Louisiana Nursing Home Association to work in conjunction to develop and implement a pilot program to study the practicality of installing electronic monitoring devices in nursing home facilities, as defined by R.S. 40:2009.2 and licensed by the Department of Health and Hospitals.

Read by title.

Rep. Broome moved the adoption of the resolution.

By a vote of 91 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

Read by title.

Rep. Crane moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Nevers
Alario	Fruge	Odinot
Alexander	Futrell	Perkins
Arnold	Gallot	Psychaud
Baldone	Glover	Pierre
Baudoin	Green	Pinac
Baylor	Guillory	Pitre
Beard	Hammett	Powell
Bowler	Heaton	Quezaire
Broome	Hebert	Richmond
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Capella	Hopkins	Schneider
Carter, R	Hudson	Schwegmann
Crane	Hunter	Shaw
Crowe	Iles	Smith, J.D.—50th
Curtis	Jackson, L	Smith, J.H.—8th
Damico	Jackson, M	Sneed
Daniel	Johns	Stelly
Dartez	Katz	Strain
Devillier	Kenney	Swilling
Diez	Lancaster	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Flavin	Murray	Wright
Total—90		

NAYS

Faucheux
Smith, G.—56th
Total—4

Tucker
Walsworth

ABSENT

Ansardi
Carter, K
Cazayoux
Hutter
Total—11

Kennard
LaFleur
Landrieu
Martiny

Salter
Smith, J.R.—30th
Triche

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 236—
BY REPRESENTATIVES BROOME AND PEYCHAUD

A CONCURRENT RESOLUTION

To create the Predatory Lending Task Force to address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

Read by title.

Rep. Broome sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broome to Original House Concurrent Resolution No. 236 by Representatives Broome and Peychaud

AMENDMENT NO. 1

On page 2, between lines 22 and 23, insert the following:

"(11) One person selected by the Community Bankers of Louisiana."

On motion of Rep. Broome, the amendments were adopted.

Rep. Broome sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broome to Engrossed House Concurrent Resolution No. 236 by Representative Broome

AMENDMENT NO. 1

On page 1, line 2, after "Predatory Lending" and before "Task Force" insert "Prevention"

AMENDMENT NO. 2

On page 2, between lines 22 and 23, insert the following:

"(11) A representative of the Greater Baton Rouge Area Community Economic Development Coalition."

On motion of Rep. Broome, the amendments were adopted.

Rep. Broome sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed House Concurrent Resolution No. 236 by Representative Broome

AMENDMENT NO. 1

On page 2, between line 22 and 23, insert the following:

"(11) One person selected by the Louisiana Land Title Association."

On motion of Rep. Broome, the amendments were adopted.

Rep. Pinac sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed House Concurrent Resolution No. 236 by Representative Broome

AMENDMENT NO. 1

On page 2, between lines 22 and 23, insert the following:

"(11) One person selected by the Louisiana Mortgage Lender's Association."

On motion of Rep. Pinac, the amendments were adopted.

Rep. Broome sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peychaud to Engrossed House Bill No. 236 by Representative Broome and Peychaud

AMENDMENT NO. 1

On page 2, at the end of line 12, delete "Action" and delete line 13 in its entirety and insert "Housing Action Center."

On motion of Rep. Broome, the amendments were adopted.

Motion

Rep. Lancaster moved that the resolution, as amended, be returned to the calendar.

Rep. Broome objected.

By a vote of 23 yeas and 66 nays, the House refused to return the resolution, as amended, to the calendar.

Rep. Broome moved the adoption of the resolution, as amended.

By a vote of 89 yeas and 4 nays, the resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 143—
BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to take all steps necessary to maximize the reimbursement to schools of the cost of administering and providing medical and related services needed by Medicaid-eligible special education students.

Page 4 HOUSE

45th Day's Proceedings - June 19, 2003

Read by title.

Rep. Tucker moved the adoption of the resolution.

By a vote of 96 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 205— BY REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of LAC 4.III.119(C)(1)(c) requiring that any vendor receiving payment through voluntary payroll deductions for state employees have individual product participation which exceeds one thousand participating employees.

Read by title.

Rep. Toomy moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Darte	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Fauchoux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Frige	Perkins	

Total—101

NAYS

Total—0

ABSENT

Cazayoux	Kennard
Curtis	LaFleur

Total—4

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Daniel, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 1946—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 11:2271, relative to the Firefighters' Retirement System; to provide relative to contributions; to provide that excess funding requirements shall be met by equal contributions of the employers, the employees, and the state under certain circumstances; to specify that such provisions shall not be effective until the dismissal or settlement of the ongoing lawsuit of the Louisiana Municipal Association against the system and the state; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 1946 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, delete "11:2271" and insert in lieu thereof "11:62(3), 2252(4), 2252(A)(1), (2), (3), and (4)"

AMENDMENT NO. 2

On page 1, line 3, after "contributions;" delete the remainder of the line and delete lines 4 through 7 in their entirety and at the beginning of line 8 delete "the system and the state;" and insert in lieu thereof:

"to provide for retirement eligibility and benefits; to provide for contributions; to require plan qualification in accordance with the Internal Revenue Code;"

AMENDMENT NO. 3

On page 1, delete line 15 and page 2, delete lines 1 through 14 in their entirety and insert in lieu thereof:

"Section 1. R.S. 11:62(3), 2252(4), 2252(A)(1), (2), (3), and (4) are hereby amended and reenacted to read as follows:

§62. Employee contributions established

Employee contributions to state and statewide public retirement systems shall be as follows:

* * *

(3) Firefighters' Retirement System - ~~8%~~ 10%.

* * *

§2252. Definitions

The following words and phrases, as used in this Chapter, unless a different meaning is plainly required by context, shall have the following meaning:

* * *

(4) "Average final compensation" shall mean the average annual earned compensation of an employee for any period of thirty-six successive or joined months of service as an employee during which the said earned compensation was the highest. In case of interruption of employment, the thirty-six month period shall be computed by joining employment periods immediately preceding and succeeding the interruption. However, the average annual earned compensation of the second twelve months shall not exceed that of the first twelve months by more than ten percent and the average annual earned compensation of the third twelve months shall not exceed that of the second twelve months by more than ten percent. In the case of a conflict between this Paragraph and any other provision of law, this Paragraph shall be controlling.

* * *

§2256. Benefits; refund of contributions, application, and payment

A.(1)(a) Any member of this system employed on June 30, 2003 who has completed at least twenty-five years of creditable service, who has been a member of this system for at least one year, regardless of age, or any member who has completed at least twenty years of creditable service, who has been a member of this system for at least one year, and who has attained the age of fifty years, or any member who has completed at least twelve years of service, who has been a member of this system for at least one year, and who has attained the age of fifty-five shall be entitled to retire from service.

(b) Any member of this system employed on or after July 1, 2003 who has completed at least twenty years of creditable service, who has been a member of this system for at least one year, and who has attained the age of fifty years, or any member who has completed at least ten years of service, who has been a member of this system for at least one year, and who has attained the age of sixty shall be entitled to retire from service.

(2) Any member who has completed twenty or more years of creditable service, and at least one year of which shall be as a member of this system, and who leaves employment covered by this system before attaining age fifty shall be entitled to a retirement benefit beginning at age fifty. Any member who was employed on June 30, 2003, who has completed twelve years of creditable service, and at least one year of which shall be as a member of this system, and who leaves employment covered by this system before attaining age fifty-five shall be entitled to a retirement benefit beginning at age fifty-five. Any member who was employed on or after July 1, 2003, who has completed ten years of creditable service, and at least one year of which shall be as a member of this system, and who leaves employment covered by this system before attaining age sixty shall be entitled to a retirement benefit beginning at age sixty.

(3) Any member who has completed twenty or more years of creditable service and who leaves employment covered by this system before attaining age fifty, or any member who was employed on June 30, 2003, who has completed twelve or more years of creditable service and who leaves employment covered by this system before attaining age fifty-five, or any member who was employed on or after July 1, 2003, who has completed ten or more years of creditable service and who leaves employment covered by this system before attaining age sixty may select, at any time prior to thirty days before the date that benefits are scheduled to commence to the member, any optional retirement allowance as provided for in R.S. 11:2259; within the same time period allowed above, the member may change the option selected or the beneficiary of the option selected. However, in the event of the death of the member after the selection of the option but prior to the commencement of benefits, the optional benefit will become payable to the option beneficiary, at the time the member would have otherwise begun to receive benefits. In the event that the member selects neither the maximum regular retirement benefit nor an optional retirement allowance within the time period allowed above, Option 2 will be automatically assumed to have been selected and the member's designated beneficiary shall be the beneficiary of the option. However, in the event that a member has no designated beneficiary, the accumulated contributions of the member shall be refunded to his estate immediately upon receipt of proof of death.

(4) (a) Upon such retirement, the member shall be paid an annual retirement allowance equal to the sum of:

(i) ~~three~~ Three and one-third percent of his average final compensation multiplied by his total years of creditable service for all service on or before June 30, 2003.

(ii) Three percent of his average final compensation multiplied by his total years of creditable service for all service on or after July 1, 2003.

However, the annual retirement allowance shall not exceed one hundred percent of his average final compensation.

* * *

Section 2. The Firefighters' Retirement System is hereby directed to attain status as a qualified plan in accordance with the Internal Revenue Code."

AMENDMENT NO. 4

On page 2, at the beginning of line 15, change "Section 2." to "Section 3."

On motion of Rep. Daniel, the amendments were adopted.

Motion

On motion of Rep. Alario, the bill, as amended, was returned to the calendar.

Suspension of the Rules

On motion of Rep. Montgomery, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

**House Bills and Joint Resolutions
Returned from the Senate with Amendments**

Page 6 HOUSE

45th Day's Proceedings - June 19, 2003

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 128— BY REPRESENTATIVE MONTGOMERY AN ACT

To enact R.S. 9:2795.3, relative to limitation of liability for motorized off-road vehicle activities; to provide for definitions; to provide for limitations of liability in certain circumstances; to provide for exceptions; to provide for the posting of signs and warnings; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 128 by Representative Montgomery

AMENDMENT NO. 1

On page 2, at the beginning of line 25, change "Riding" to "Driving"

AMENDMENT NO. 2

On page 3, line 2, after "vehicle and before the period "." insert "at a motorized off-road vehicle facility"

Rep. Montgomery moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Glover	Powell
Ansardi	Green	Quezaire
Arnold	Guillory	Richmond
Baldone	Hammett	Romero
Baudoin	Heaton	Salter
Baylor	Hill	Scalise
Beard	Honey	Schneider
Bowler	Hopkins	Schwegmann
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Kenney	Stelly
Curtis	Lancaster	Strain
Damico	Landrieu	Swilling
Daniel	LeBlanc	Thompson
Dartez	Lucas	Toomy
Devillier	Martiny	Townsend
Diez	McDonald	Triche
Doerge	McVea	Tucker
Downs	Montgomery	Waddell
Erdey	Morrish	Walker
Fannin	Murray	Walsworth
Farrar	Nevers	Welch

Faucheux
Flavin
Frith
Fruge
Total—95

Odinot
Perkins
Peychaud
Pierre

Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Carter, K
Cazayoux
Downer
Durand
Total—10

Hebert
Hudson
Katz
Kennard

LaFleur
Morrell

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 236— BY REPRESENTATIVE TOWNSEND AN ACT

To enact R.S. 36:609(B)(4), relative to the responsibilities of the office of wildlife, Department of Wildlife and Fisheries; to provide that the firearm and hunter education programs shall be administered by the office of wildlife; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 236 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 36:609(B)(4)" insert "and R.S. 56:115.1"

AMENDMENT NO. 2

On page 1, line 5, after "wildlife;" insert the following:

"to provide for the definition of a legal buck; to provide for uniformity in size and number of antlers which an antlered buck deer must possess in order to be taken; to provide for exceptions;"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following:

"Section 2. R.S. 56:115.1 is hereby enacted to read as follows:

§115.1. Antlered buck deer; uniform size and number of antlers

Notwithstanding any other provision of law to the contrary, rules and regulations for the taking of antlered buck deer in the state shall be uniform across the state as to the number and size of antlers which an antlered buck deer must possess in order to be taken. However, the Louisiana Wildlife and Fisheries Commission may limit or otherwise restrict the number and size of antlers for the taking of antlered buck deer on state wildlife management areas pursuant to any program or experiment undertaken by the commission. The provisions of this Section shall not apply to hunters under the age of sixteen."

AMENDMENT NO. 4

On page 2, line 4, change "Section 2" to "Section 3"

Rep. Townsend moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell
Arnold	Glover	Quezaire
Baldone	Green	Richmond
Baudoin	Guillory	Romero
Baylor	Hammett	Salter
Beard	Heaton	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McDonald	Tucker
Downer	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrish	Walsworth
Erdey	Murray	Welch
Fannin	Nevers	Winston
Farrar	Odinot	Wooton
Faucheux	Perkins	Wright
Flavin	Psychaud	
Total—98		

NAYS

Total—0

ABSENT

Cazayoux	Jackson, L	Morrell
Hebert	Kennard	
Hudson	LaFleur	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 370—

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 370 by Representative Faucheux

AMENDMENT NO. 1

On page 3, line 24, after "maintenance of" delete the remainder of the line and line 25 in its entirety and insert in lieu thereof:

"immovable property, the title is not transferred from the owner or owners of the immovable property at the time the cooperative endeavor agreement is entered into."

Rep. Faucheux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Glover	Powell
Ansardi	Green	Quezaire
Arnold	Guillory	Richmond
Baldone	Hammett	Romero
Baudoin	Heaton	Salter
Baylor	Hill	Scalise
Beard	Honey	Schneider
Bowler	Hopkins	Schwegmann
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L	Smith, J.H.—8th
Carter, K	Jackson, M	Smith, J.R.—30th
Carter, R	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Winston
Faucheux	Odinot	Wooton
Flavin	Perkins	Wright
Frith	Psychaud	
Fruge	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Cazayoux	Hebert	LaFleur
Diez	Hudson	Morrell

Page 8 HOUSE

45th Day's Proceedings - June 19, 2003

Doerge
Total—8

Kennard

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 398—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 1734.1, relative to deposits for jury trials; to provide for the discretionary authority of the court in setting the amount of the deposit; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 398 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 14, after "shall" change "include sufficient funds for payment of" to "be reasonable and sufficient to pay"

AMENDMENT NO. 2

On page 1, line 17, after "exceed" delete the remainder of the line and insert "ten thousand dollars for"

AMENDMENT NO. 3

On page 2, delete lines 1 and 2 in its entirety and insert " for the trial. Notice of the fixing"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 398 by Representative Baldone

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 11, 2003, on line 6, following "dollars" delete "for"

AMENDMENT NO. 2

On page 1, lines 2 and 7, following "1734.1" insert "(A)"

Rep. Baldone moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Peychaud
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Green	Quezaire

Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Fauchaux
Flavin
Total—98

Guillory
Hammett
Heaton
Hill
Honey
Hopkins
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrish
Murray
Nevers
Odinet
Perkins

Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wright

NAYS

Total—0

ABSENT

Cazayoux
Hebert
Hudson
Total—7

Kennard
LaFleur
Morrell

Wooton

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 417—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to the Louisiana State Employees' Retirement System; to provide with respect to judges and officers of the court who are members of the system; to provide relative to retirement eligibility; to provide for retirement at age sixty-five with at least ten years of creditable service; to clarify that remaining in office beyond age seventy is not prohibited by statute if permitted by the constitution; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 417 by Representative Murray

AMENDMENT NO. 1

On page 1, line 3, change "11:558(A)(6)," to "11:558(A)(6) and 562(C),"

AMENDMENT NO. 2

On page 1, line 8, after "constitution;" insert "to provide with respect to survivor benefits;"

AMENDMENT NO. 3

On page 1, line 15, change "and R.S. 11:558(A)(6) is" to "R.S. 11:558(A)(6) and 562(C) are"

AMENDMENT NO. 4

On page 4, between lines 9 and 10 insert the following:

"§562. Survivor benefits

* * *

C. Notwithstanding the provisions of R.S. 11:471(C), or any other provision of law to the contrary, a benefit shall be payable to the surviving spouse, without regard to the length of time married prior to the death of the member, of a member who had at least seventeen years of creditable service which was earned immediately prior to death, and was in state service at the time of death.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 417 by Representative Murray

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Retirement and adopted by the Senate on June 11, 2003, on page 1, line 16, after "surviving spouse" delete the comma "," and insert "of any member who dies on or after June 1, 2003,"

AMENDMENT NO. 2

On page 4, between lines 9 and 10, insert "Section 2. The provisions of R.S. 11:562(C) are remedial in nature and are effective on and after June 1, 2003."

AMENDMENT NO. 3

On page 4, line 10, change "Section 2." to "Section 3."

Rep. Murray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Broome	Hebert	Romero
Bruce	Honey	Salter
Bruneau	Hopkins	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw

Crane	Jackson, L	Smith, G.—56th
Crowe	Jackson, M	Smith, J.D.—50th
Curtis	Johns	Smith, J.H.—8th
Damico	Katz	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Downer	Martiny	Toomy
Downs	McDonald	Townsend
Durand	McVea	Triche
Fannin	Montgomery	Waddell
Farrar	Morrish	Welch
Flavin	Murray	Wooton
Frith	Nevers	

Total—89

NAYS

Arnold	Kenney	Walsworth
Bowler	Tucker	Winston
Erdey	Walker	Wright

Total—9

ABSENT

Cazayoux	Hudson	Perkins
Faucheux	Kennard	
Hill	Morrell	

Total—7

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 604—

BY REPRESENTATIVES DEVILLIER AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide for the protection of the ownership rights of personal property; to clarify that contraband has no such protection; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 4, after "property;" delete the remainder of the line and on line 5 delete "such protection" and insert "to provide that certain controlled dangerous substances shall not be deemed personal property"

AMENDMENT NO. 2

On page 2, line 14, after "effects" delete "other than contraband."

AMENDMENT NO. 3

On page 2, line 15, after "taken." insert "In no instance shall a controlled dangerous substance, as defined by the Uniform Controlled Dangerous Substances Law, be deemed to constitute personal effects."

AMENDMENT NO. 4

Page 10 HOUSE

45th Day's Proceedings - June 19, 2003

On page 3, line 9, after "does not" delete the remainder of the line and insert "include controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Law."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 2, line 14, after "contraband," insert "as defined in R.S. 14:402"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 604 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 2, change "Section 4" to "Sections 4 and 27"

AMENDMENT NO. 2

On page 1, line 3, between "property;" and "to" insert "to preserve the freedom to hunt, fish, and trap the wildlife property of the state, subject to regulation, restriction, or prohibition imposed pursuant to law;"

AMENDMENT NO. 3

On page 1, line 10, between change "Section 4" to "Sections 4 and 27"

AMENDMENT NO. 4

On page 2, after line 26, insert the following:

* * *

§27. Freedom to Hunt, Fish and Trap

Section 27. The freedom to hunt, fish, and trap the wildlife property of the state, including all aquatic life, traditionally taken by hunters, trappers and anglers, is a valued natural heritage that shall be forever preserved for the people. Hunting, fishing, and trapping shall be managed by law and regulation consistent with Article IX, Section 1 of this Constitution to protect, conserve, and replenish the natural resources of the state. The provisions of this Section shall not alter the burden of proof requirements otherwise established by law for any challenge to a law or regulation pertaining to hunting, fishing, or trapping the wildlife of the state, including all aquatic life. Nor shall the provisions of this Section diminish or otherwise alter the right to property or the right of any person to restrict or deny access to immovable property for hunting, fishing or trapping purposes in the same manner and to the same extent as such person may lawfully restrict or deny access to such property for any other purpose."

AMENDMENT NO. 5

On page 3, at the end of line 9, before the period ".", insert "and to guarantee the right of every citizen to hunt, fish and trap, subject to regulation, restriction or prohibition as provided by law"

AMENDMENT NO. 6

On page 3, line 10, change "Section 4" to "Sections 4 and 27"

Rep. Martiny moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McDonald	Triche
Downer	McVea	Tucker
Downs	Montgomery	Waddell
Durand	Morrell	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Winston
Flavin	Odinot	Wooton
Frith	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Cazayoux	Fruge	Kennard
Faucheux	Green	LaFleur
Total—6		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 696—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 696 by Representative Johns

AMENDMENT NO. 1

On page 1, line 4, after "contendere;" insert "to provide for payment of fines by certified mail;"

AMENDMENT NO. 2

On page 1, at the end of line 13, change the ";" to a period ".";

AMENDMENT NO. 3

On page 1, line 14, Change "however" to "~~however~~ However"

AMENDMENT NO. 4

On page 1, line 17, after "violation" insert:

"unless the fine was paid by certified mail and the postmark indicates that the payment was mailed on or before the date indicated on the citation"

AMENDMENT NO. 5

On page 2, at the end of line 13, insert:

"If the fine is paid by certified mail and the postmark indicates that the payment was mailed on or before the date indicated on the citation, the payment shall be considered to have been made timely and no further penalty or costs or other charges may be assessed."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 696 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:1372(B)" and before "relative" delete the comma and insert "and to enact R.S. 32:295.3,"

AMENDMENT NO. 2

On page 1, line 4, after "nolo contendere;" insert the following:

"to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties;"

AMENDMENT NO. 3

On page 2, after line 14, insert the following:

"Section 3. R.S. 32:295.3 is hereby enacted to read as follows:

§295.3. Leaving children unattended and unsupervised in motor vehicles; prohibition; penalties

A. It is unlawful for any driver or operator to leave a child or children under the age of six years unattended and unsupervised in a motor vehicle.

B.(1) The term "unattended" as used in this Section means a child who has been left in a motor vehicle when the driver or operator of the vehicle is more than ten feet from the vehicle and unable to continuously observe the child.

(2) The term "unsupervised" as used in this Section means an unattended child when a person ten years of age or older is not physically present in the motor vehicle.

C.(1) A law enforcement officer who observes a child left unattended and unsupervised for a period in excess of ten minutes in violation of the provisions of this Section shall use whatever means are reasonably necessary to protect the child and remove the child from the motor vehicle.

(2) If the child is removed from the immediate area by a law enforcement officer pursuant to the provisions of this Section, the law enforcement officer shall place notification on the motor vehicle. The law enforcement officer shall hold the child until the parent or guardian returns.

D. Whoever violates this Section shall be fined not more than twenty-five dollars.

E. Any law enforcement officer acting in good faith pursuant to the provisions of this Section shall have immunity from any civil liability that otherwise might be incurred or imposed."

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Futrell	Pychaud
Alexander	Gallot	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinot	Wright
Total—99		

NAYS

Total—0

Page 12 HOUSE

45th Day's Proceedings - June 19, 2003

ABSENT

Cazayoux	Glover	LaFleur
Fruge	Kennard	Pierre
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 784—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2721.1(A), relative to the recordation of leases of immovable property; to provide for recordation of certain mineral leases; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 784 by Representative Daniel

AMENDMENT NO. 1

On page 2, delete lines 6 through 8 in their entirety

Rep. Daniel moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Fruge	Perkins
Alexander	Futrell	Peychaud
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.H.—8th
Crane	Iles	Smith, J.R.—30th
Crowe	Jackson, L	Sneed
Curtis	Jackson, M	Stelly
Damico	Johns	Strain
Daniel	Kenney	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch

Farrar	Morrish	Winston
Faucheux	Murray	Wright
Flavin	Nevers	
Total—98		

NAYS

Total—0

ABSENT

Cazayoux	LaFleur	Wooton
Katz	Shaw	
Kennard	Smith, J.D.—50th	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 795—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:20(C), 28(B)(1)(e), 29.4(C), 85(D), 231(B), 371(A), and 376(A) and to enact R.S. 27:30.3, 30.4, 85(E), 260(E), and 376(C), (D), and (E), relative to the Louisiana Gaming Control Law; to provide for a comprehensive revision of the law applicable to gaming; to authorize gaming licensees to detain a person suspected of committing the crime of gaming when the person is under the age of twenty-one; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for applicability; to provide for penalties; to provide for definitions; to delete the provision of law requiring presence of an agent of the gaming board to be present all times during hours of operation at land-based casinos; to provide that a felony crime of violence is a basis for disqualification for granting a license, permit, or other board approval; to require key and non-key gaming employees be twenty-one years of age; to provide criminal penalties for allowing a person under the age of twenty-one to play slot machines in an eligible horse racing facility; to provide with respect to defenses; to prohibit the game of poker to be offered on slot machines at eligible horse racing facilities; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 795 by Representative Martiny

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "371(A)," to "371,"

AMENDMENT NO. 2

On page 1, line 3, after "and 376(A)" insert "and 392(B)(6)"

AMENDMENT NO. 3

On page 1, line 4, after "and (E)," insert "and 392(B)(7),"

AMENDMENT NO. 4

On page 2, line 1, after "facilities;" and before "and" insert "to provide for a reduction in the number of slot machines offering the game of

poker; to provide that this reduction shall be phased in over a period of years; to provide for the creation of the St. Landry Parish Economic Development Authority Fund; to provide for its membership; to provide for the distribution of funds;" "

AMENDMENT NO. 5

On page 2, at the end of line 4, change "371(A)," to "371,"

AMENDMENT NO. 6

On page 2, line 5, after "and 376(A)" insert "and 392(B)(6)"

AMENDMENT NO. 7

On page 2, line 6, after "and (E)," insert "and 392(B)(7),"

AMENDMENT NO. 8

On page 6, at the end of line 8, delete "except in the case"

AMENDMENT NO. 9

On page 6, at the beginning of line 9, delete "of emergency"

AMENDMENT NO. 10

On page 7, line 5, after "occurs." and before "slot" delete "No" and insert "Except as provided in Subsection B of this Section, on or after June 1, 2003, no"

AMENDMENT NO. 11

On page 7, between lines 8 and 9 insert the following:

"B. The owner of an eligible facility where slot machine gaming is being conducted on June 1, 2003, in accordance with the provisions of this Chapter, shall have until December 31, 2006, to bring the eligible facility into full compliance with the provisions of Subsection A of this Section. The owner of the eligible facility shall reduce the number of slot machines which offer the game of poker for operation or play as follows:

(1) By July 1, 2004, ten percent of the slot machines offering the game of poker on June 1, 2003, shall be replaced or modified so that they no longer offer the game of poker for operation or play.

(2) By July 1, 2005, an additional forty percent of the slot machines offering the game of poker on June 1, 2003, shall be replaced or modified so that they no longer offer the game of poker for operation or play.

(3) By December 31, 2006, all remaining slot machines offering the game of poker on June 1, 2003, shall be replaced or modified so that they no longer offer the game of poker for operation or play.

~~B. C.~~ Nothing in this Chapter shall be construed to permit the operation or play of any type of game the play of which requires the participation of an employee of the licensee."

AMENDMENT NO. 12

On page 8, after line 18, insert the following:

"* * *

§392. Collection and disposition of fees and taxes

* * *

B. (1) All fees, fines, revenues, state taxes, and other monies collected by the division shall be forwarded upon receipt to the state treasurer for immediate deposit into the state treasury. Funds so deposited shall first be credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution of Louisiana.

* * *

(6)(a) After complying with the provisions of Paragraphs (1) through (5) of this Subsection, the state treasurer shall, each fiscal year, credit an amount not to exceed three hundred fifty thousand dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the St. Landry Parish Economic Development Authority Fund which is hereby created in the state treasury. Monies in the St. Landry Parish Economic Development Authority Fund, for purposes of this Subparagraph referred to as the "fund," shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Board of Commissioners of the St. Landry Parish Economic Development Authority to promote, plan for, coordinate, and support economic development within the parish of St. Landry. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(b) The St. Landry Parish Economic Development Authority, hereinafter referred to as the "authority" is hereby created as a body politic and corporate of the state, and its territorial limits and jurisdiction shall extend throughout the parish of St. Landry. The authority shall be a political subdivision of the state as defined in Article VI, Section 44(2) of the Constitution of Louisiana.

(c) The authority is established for the purpose of having a council composed of representatives from the business community and municipal government to perform the functions necessary for the promotion, planning, coordination, and support of economic development within the parish of St. Landry.

(d) The governing authority of the St. Landry Parish Economic Development Authority shall be known as the Board of Commissioners of the St. Landry Parish Economic Development Authority. The board shall consist of six members who shall be citizens of the United States residing within the limits of the district.

(e) The commissioners shall be appointed as follows:

(i) The mayor of the city of Opelousas who shall serve as chairman of the board.

(ii) The mayor of the city of Eunice.

(iii) One member shall be appointed by the senator whose senatorial district encompasses the city of Opelousas.

(iv) One member shall be appointed by the mayor of the city of Opelousas.

(v) One member shall be appointed by the mayor of the city of Eunice.

(vi) One member shall be appointed by the Opelousas Chamber of Commerce.

(f) The terms of the commissioners shall be staggered so that of the initial members appointed, one shall serve a two-year term, one a three-year term, and two for four-year terms. The determination of

Page 14 HOUSE

45th Day's Proceedings - June 19, 2003

which terms shall run for two, three, or four years shall be made by the board by lot at its first meeting. The commissioners thereafter appointed at the expiration of the terms of the initial appointees shall serve for terms of four years. No member of the board may be appointed for more than two consecutive terms.

(g) Vacancies shall be filled in the manner of the original appointments, in accordance with the provisions set forth in Subparagraph (e) of Paragraph (6) of this Subsection.

(h) Appointed commissioners shall serve at the pleasure of the appointing authority or agency. The appointing authority or agency shall have the right to remove and replace commissioners appointed by it, with or without cause, and, where a vacancy exists, to fill the vacancy in the office of the commissioner or commissioners which have been allotted to that appointing authority or agency.

(i) The board may establish in its bylaws the procedures and criteria for removal of any of its appointed members with cause by majority vote of its membership.

(j) In order to facilitate the performance of its duties hereunder and to further promote the economic development of the parish and region, the board of commissioners may establish an advisory board. The advisory board may be composed of persons, or groups in the parish or region which the board of commissioners believes will be able to contribute and assist in the task of economic development. The composition and size of this advisory board and the terms of its members shall be at the discretion of the board of commissioners.

(6)(7) After compliance with the provisions of Paragraphs (1) through (5) (6) of this Subsection, remaining monies shall be deposited in and credited to the state general fund."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 795 by Representative Martiny

AMENDMENT NO. 1

In Senate Committee Amendment No. 11 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 11, 2003, on page 2, line 19, change "of" to "or"

AMENDMENT NO. 2

In Senate Committee Amendment No. 12 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 11, 2003, on page 2, line 39, change "herein" to "in R.S. 27:353"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 795 by Representative Martiny

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 1, line 6 thereof, change "and 392(B)(7)," to ", 392(B)(7), and Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451,"

AMENDMENT NO. 2

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003,

on page 1, at the end of line 12, after "funds;" insert "to provide a procedure for negotiation and approval of Indian gaming compacts; to provide relative to approval authority; to provide relative to the terms of such compacts;"

AMENDMENT NO. 3

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 1, at the end of line 19, change "and 392(B)(7)," to ", 392(B)(7), and Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451,"

AMENDMENT NO. 4

In Senate Committee Amendment No. 12 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003, on page 4, after line 11, add the following:

"CHAPTER 9. INDIAN GAMING COMPACTS

§451. Indian Gaming Compacts: contribution disbursements: additional requirements

A.(1) Notwithstanding any other provision of law to the contrary, the state may enter into a gaming compact with any federally recognized Indian tribe which shall govern all matters concerning Class III gaming on such tribe's reservation if such primary reservation or service area is located in the state of Louisiana. If the governor recommends approval, he shall notify the president of the Senate, the speaker of the House of Representatives, the House Committee on the Administration of Criminal Justice, and the Senate Committee on Judiciary B. Within thirty days after being notified by the governor pursuant to this Subsection, such committees may conduct public hearings as deemed necessary in Baton Rouge and in other areas which would be significantly impacted by a proposed Indian gaming compact in order to address the concerns of the people in those communities that will be most affected by such compact. If a committee holds any hearing as authorized in this Subsection, it shall submit a report of the hearing to the legislature within forty-five days after receipt of notification from the governor.

(2) "Compact", as used in this Section includes an Indian gaming compact and any extension, renegotiation, or renewal of an Indian gaming compact.

B. Prior to any Indian gaming compact being executed by the governor between the state of Louisiana and a federally recognized Indian tribe, or to permitting the renewal of any such Indian gaming compact, the governor shall submit the compact to the legislature for approval or rejection. No Indian gaming compact shall be signed by the governor until it is approved by a majority vote of each house of the legislature.

C.(1) If a compact is submitted to the president of the Senate and the speaker of the House of Representatives no earlier than sixty days prior to a regular session or during a regular session at least sixty days prior to adjournment sine die, the legislature has until adjournment sine die of that session to approve or reject the compact with the adoption of a concurrent resolution by a majority vote of the elected members of each house. If the legislature does not adopt a concurrent resolution, the compact shall be considered rejected.

(2) If a compact is submitted to the president of the Senate and speaker of the House during a regular session less than sixty days prior to adjournment sine die of the session, and the legislature does not approve or reject the compact during the session, the legislature shall vote on the compact by mail ballot as provided herein.

(a) If the legislature is in session fifty days after the compact is received, the compact, committee report, if any, and the ballot shall be delivered to the members of the legislature by the secretary of the Senate and the clerk of the House of Representatives. The ballots shall be returned to the secretary and clerk within fifteen days of the date which the secretary and clerk certify as the date that the ballots were delivered to members to which delivery was possible. If the secretary or clerk is unable to deliver the compact, committee report, if any, and ballot to any member, then the secretary or clerk shall mail the compact, committee report, if any, and ballot on the same day, as provided in Subparagraph (b).

(b) If the legislature is not in session fifty days after the compact is received, the compact, committee report, if any, and the ballot shall be mailed to all members by the secretary and the clerk, being postmarked on the same day, by certified mail with return receipt requested, and shall be returned to the secretary and clerk within fifteen days after the postmarked date.

D.(1) When a ballot is required pursuant to Subparagraphs (C)(2)(a) or (b), the secretary and the clerk shall prepare a ballot.

(2) The ballot shall be uniform, identify the compact and provide a method to indicate whether the members approve or reject the proposal, and such other pertinent information as the secretary and clerk shall determine.

(3) If more than one compact is to be voted on, the ballot shall set forth each compact in such form as to enable each member to cast his vote separately approving or rejecting each compact.

(4) Each ballot also shall contain the name of the member to whom it is to be mailed and the member shall sign the ballot after casting his vote.

E. No ballot received by the secretary or the clerk after five o'clock p.m. on the fifteenth day after the date on which the ballots were delivered to the members or after the date on which the ballots were mailed, shall be valid or counted, but the day and time received shall be marked on each ballot received after such time and the ballot shall be marked "Invalid". However, prior to five o'clock p.m. on the fifteenth day when delivered to the members while in session or after the postmarked date if mailed to the members of the legislature, a member may withdraw his ballot or change his vote upon his written request.

F. For the purposes of this Section, an electronically transmitted ballot shall be sealed immediately upon receipt and its contents not disclosed until the day when all ballots are opened and tabulated.

G.(1) On the sixteenth day after the date on which the ballots were mailed, as provided herein, the secretary and clerk shall open and tabulate the vote in roll call order for each house. The secretary and clerk shall hold such ballots unopened and shall not disclose the contents to any person until the day when such ballots are opened and tabulated. No ballot shall be deemed spoiled if inadvertently opened in processing or if received and sealed pursuant to Subsection F of this Section.

(2) The tabulation shall indicate by name those members who voted to approve the compact, those who voted to reject the compact, those who did not vote, those who did not return the ballot by the due date and time, and those whose ballots were invalid because not signed by the member. The secretary and clerk shall sign the tabulation sheet or sheets and cause a summary thereof to be transmitted to the respective presiding officers. Failure of a majority of the elected members of each house to reject the compact shall constitute approval of the compact.

H. If approved by the legislature and executed by the governor, the compact shall be submitted to the United States secretary of the interior for approval.

I. No compact, nor any extension, renegotiation, or renewal thereof, shall have a term that exceeds seven years.

J. Notwithstanding any other provision of law to the contrary, no gaming compact entered into prior to August 15, 2003, shall be extended, renewed, renegotiated, or executed by the governor, and no gaming compact may be entered into, on or after August 15, 2003, without compliance with the procedure set forth in this Section.

Section 2. R.S. 27:451, as enacted in this Act, shall supersede conflicting provisions of R.S. 27:15(B)(1) and 31(A)(1), R.S. 46:2302 and 2303, Act No. 888 of the 1990 Regular Session of the Legislature, and Act No. 817 of the 1993 Regular Session of the Legislature."

Rep. Martiny moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	

Total—100

NAYS

Total—0

ABSENT

Page 16 HOUSE

45th Day's Proceedings - June 19, 2003

Cazayoux
Hammett
Total—5

Kennard
Lucas

Walsworth

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 812—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 56:410.7 and the introductory paragraph of Section 5 of Act No. 191 of the 1926 Regular Session of the Legislature, as enacted by Act No. 120 of the 1946 Regular Session of the Legislature, and amended by Act No. 307 of the 1948 Regular Session of the Legislature, and Act No. 17 of the 1956 First Extraordinary Session of the Legislature, and Act No. 66 of the 1988 Regular Session of the Legislature, and Act No. 539 of the 1990 Regular Session of the Legislature, and Act No. 550 of the 1995 Regular Session of the Legislature, relative to the Northwest Louisiana Game and Fish Preserve Commission; to provide relative to certain powers to regulate the taking of game and fish; to provide relative to permitted and prohibited fishing gear on Black Lake, Clear Lake, and Prairie Lake; to provide relative to possession of a recreational use license on said lakes; to provide penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 812 by Representative Townsend

AMENDMENT NO. 1

On page 1, at the end of line 13, delete "to" and delete line 14, and at the beginning of line 15, delete "lakes;"

AMENDMENT NO. 2

On page 2, line 6, delete "possession of recreational use license."

AMENDMENT NO. 3

On page 2, delete line 11, and insert "of this provision shall be punishable by a twenty-five dollar fine payable to the Northwest Game and Fish Preserve Commission."

AMENDMENT NO. 4

On page 2, line 15, after "shall" delete the remainder of the line and delete line 16 and insert "be punishable by a twenty-five dollar fine payable to the Northwest Game and Fish Preserve Commission."

AMENDMENT NO. 5

On page 2, line 24, change "fifty-dollar" to "twenty-five dollar"

AMENDMENT NO. 6

On page 3, delete lines 1 through 13 in their entirety

Rep. Townsend moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	Lancaster	Strain
Devillier	Landrieu	Swilling
Diez	LeBlanc	Thompson
Doerge	Lucas	Toomy
Downer	Martiny	Townsend
Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wright
Frith	Odinet	
Total—98		

NAYS

Total—0

ABSENT

Arnold	Kennard	Wooton
Cazayoux	LaFleur	
Hudson	Walker	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 853—

BY REPRESENTATIVES FARRAR, R. CARTER, FAUCHEUX, HEATON, AND WELCH

AN ACT

To enact R.S. 13:996.60, relative to judicial expense fund accounts of the various district courts; to permit interest earned on money in other accounts of the district court to be deposited into the judicial expense fund account; to provide for an exception; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 853 by Representative Farrar

AMENDMENT NO. 1

On page 2, line 2, after "account." insert the following:

"The interest accrued funds provided for in this Section shall not be used for salaries."

Rep. Farrar moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Guillory	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Romero
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Schwegmann
Capella	Hudson	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Crane	Iles	Smith, J.H.—8th
Crowe	Jackson, L	Smith, J.R.—30th
Curtis	Jackson, M	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Cazayoux	Kennard	Morrish
Johns	LaFleur	Wooton
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1046—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:1736, relative to the nonconsensual towing of motor vehicles; to provide for definitions; to require certain information on the billing invoice; to provide relative to certain written contracts; to provide relative to signage on certain private property; to require uniform fees; to provide relative to the enforcement of these provisions, including the inspection of billing invoices, contracts, and other information; to provide relative to penalties for noncompliance; to provide relative to a cause of action; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1046 by Representative Diez

AMENDMENT NO. 1

On page 2, line 24, after "towed" insert "or if the provisions of Subsection C of this Section are applicable"

AMENDMENT NO. 2

On page 3, line 20, after "company" insert ", and the uniform towing fee"

AMENDMENT NO. 3

On page 3, line 23, after "office" insert "of the property owner and the business office"

AMENDMENT NO. 4

On page 3, at the end of line 24, insert the following:

"The contract or agreement shall define the parking rules and reasons for towing. Property owners meeting the requirements of this Subsection shall not be required to tag a motor vehicle for removal or sign the billing invoice prior to towing."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1046 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:1736" to "R.S. 32:1714(7) and 1736" and delete "nonconsensual"

AMENDMENT NO. 2

On page 1, line 9, after "action;" insert "to provide for compliance with certain laws and regulations;"

AMENDMENT NO. 3

On page 1, line 11, change "R.S. 32:1736 is" to "R.S. 32:1714(7) and 1736 are"

AMENDMENT NO. 4

Page 18 HOUSE

45th Day's Proceedings - June 19, 2003

On page 1, between lines 11 and 12, insert:

"§1714. Powers and duties of the office of state police

The Department of Public Safety and Corrections, office of state police, subject to the provisions of the Administrative Procedure Act, shall:

* * *

(7) Insure compliance of every tow truck, towing facility, storage facility, and every employee subject to or licensed in accordance with this Chapter with the laws of this state, regulations of the Federal Motor Carrier Administration, and regulations promulgated pursuant to this Chapter.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 1046 by Representative Diez

AMENDMENT NO. 1

On page 2, line 21, delete "or private property"

AMENDMENT NO. 2

On page 2, line 22, after "unless" change "it" to "the tow has been authorized by a law enforcement agency of competent jurisdiction or the motor vehicle"

AMENDMENT NO. 3

On page 3, line 24, after "company" insert "and in the tow truck"

Rep. Diez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Martiny	Townsend

Downer	McDonald	Triche
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—97		

NAYS

Total—0

ABSENT

Broome	Kennard	Tucker
Cazayoux	LaFleur	Wooton
Hebert	Lucas	
Total—8		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1406— BY REPRESENTATIVE ROMERO

AN ACT

To enact R.S. 45:164(E), relative to common carriers; to provide relative to movers of household goods; to require all movers of household goods to comply with certain requirements; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1406 by Representative Romero

AMENDMENT NO. 1

On page 1, line 9, after "E." insert "(1)"

AMENDMENT NO. 2

On page 2, after line 3, insert the following:

"(2)(a) Any carrier providing the intrastate transportation of household goods shall maintain a permanent establishment in the state. A permanent establishment shall mean a fixed place of business through which the business of the carrier is wholly or partly carried on. The place of business shall be a particular building or physical location used by the carrier for the conduct of its business, and it shall be foreseeable that the carrier's use of this building or other physical location shall be more than temporary. The permanent establishment may include a place of management, a branch, an office, or a terminal. The permanent establishment may be operated by an employee of the carrier or an agent of the carrier provided that the agent has and habitually exercises the authority to conclude transportation contracts in the name of the carrier.

(b) The carrier shall register the address and telephone number of its permanent establishment with the secretary of state and the Public Service Commission. Service of process with respect to all civil, criminal, or administrative proceedings brought before any court or administrative agency located in the state may be served on the carrier

at its permanent establishment by any means provided by the applicable rules or procedure for that court or agency providing service of process."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1406 by Representative Romero

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the SENATE on June 10, 2003 on page 1 after line 23, insert the following:

"(c) Should the carrier cease to maintain a permanent establishment in the state, its right to conduct business in the state shall be immediately suspended.

(3) The Louisiana Public Service Commission shall adopt and promulgate rules and regulations necessary to the proper implementation and administration of this Subsection, subject to the oversight of the standing committees on transportation, highways, and public works of the Senate and the House of Representatives pursuant to the Administrative Procedure Act. The provisions of this Section shall apply only when the contract for moving household goods exceeds two hundred fifty dollars.

Section 2. This Act shall be effective on January 1, 2004."

AMENDMENT NO. 2

On page 1, line 17, change "performance" with "surety"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1406 by Representative Romero

AMENDMENT NO. 1

On page 1, line 3, after "require" change "all" to "certain"

AMENDMENT NO. 2

On page 1, line 9, after "goods" insert "except those operating primarily within one parish"

Rep. Romero moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Green	Pitre
Ansardi	Guillory	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Bear	Honey	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw

Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Perkins	
Futrell	Peychaud	

Total—100

NAYS

Total—0

ABSENT

Broome	Crowe	LaFleur
Cazayoux	Kennard	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1536—

BY REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 17:3129.5, relative to a state tuition and fee policy; to authorize the Board of Regents to study and formulate a state tuition and fee policy for public postsecondary education institutions and systems; to provide for legislative review and approval of such policy; to provide relative to policy implementation and annual reports; and to provide for related matters.

Read by title.

Motion

On motion of Rep. LeBlanc, the bill was returned to the calendar.

HOUSE BILL NO. 1567—

BY REPRESENTATIVES K. CARTER AND MURRAY

AN ACT

To authorize and provide for a cooperative endeavor agreement for use of certain state property in Orleans Parish with the city of New Orleans; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1567 by Representative Karen Carter

Page 20 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 1

On page 1, between lines 14 and 15, insert the following:

"Section 2. Nothing in Section 1 of this Act shall authorize or permit the removal or substantive augmentation or change to the memorial erected in memory of the late Rev. Avery Alexander."

AMENDMENT NO. 2

On page 1, line 15, change "Section 2." to "Section 3."

Rep. Murray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	

Total—103

NAYS

Total—0

ABSENT

Hunter	Kennard
--------	---------

Total—2

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1786—

BY REPRESENTATIVE ALARIO AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of each board; to provide for the fee amounts; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1786 by Representative Alario

AMENDMENT NO. 1

On page 1, line 3, change "and 3351.7" to "3351.7, and 3351.8"

AMENDMENT NO. 2

On page 1, line 5, before "the" delete "and" and between "System" and "to" insert ", and the Louisiana Community and Technical College System"

AMENDMENT NO. 3

On page 1, line 13, change "and 3351.7" to "3351.7, and 3351.8"

AMENDMENT NO. 4

On page 5, between lines 6 and 7, insert the following:

"§3351.8. Academic excellence fee; amount; waivers; Louisiana Community and Technical College System

A. In addition to the authority granted to the Board of Supervisors of Community and Technical Colleges by R.S. 17:1871(B) and 3351(A)(5) and in accordance with Article VII, Section 2.1(A) of the Constitution of Louisiana, the board may provide for the assessment of an academic excellence fee at each institution under its management and supervision effective for the Fall, 2003, academic session and thereafter. The fee shall be in addition to any other tuition or attendance fees and charges established by the board.

B.(1) The fee amount per student shall not exceed seven dollars and fifty cents dollars per credit hour per academic session and shall not exceed ninety dollars per academic session.

(2) The fee shall not be a cost that is payable by the state on behalf of any student who is a recipient of an award under the Tuition Opportunity Program for Students.

(3) The fee shall be paid by all students. However, the board shall establish criteria for waiving the fee in cases of financial hardship as determined by the board. Information relative to such waivers and the criteria and procedures for obtaining a waiver shall be made available to all prospective students in a timely manner such that each student is informed of the availability of a waiver prior to the student making a final decision concerning attendance at any institution under the management and supervision of the board.

(4) The fee shall not be imposed on students in an apprenticeship program.

C. Fee proceeds shall be used to promote academic excellence at each institution by enhancing instructional programs. However, no proceeds shall be used to pay the salary of any university or university system administrator."

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Murray
Alario	Gallot	Nevers
Alexander	Glover	Odinot
Ansardi	Green	Peychaud
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Broome	Hill	Richmond
Bruneau	Honey	Romero
Carter, K	Hudson	Salter
Carter, R	Hunter	Schneider
Cazayoux	Hutter	Schwegmann
Crane	Iles	Shaw
Crowe	Jackson, L	Smith, J.D.—50th
Curtis	Jackson, M	Smith, J.H.—8th
Damico	Johns	Smith, J.R.—30th
Daniel	Katz	Sneed
Dartez	Kenney	Stelly
Diez	LaFleur	Strain
Doerge	Landrieu	Swilling
Downer	LeBlanc	Thompson
Downs	Lucas	Townsend
Durand	Martiny	Waddell
Erdey	McDonald	Welch
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	
Flavin	Morrish	
Total—85		

NAYS

Bowler	Perkins	Triche
Frue	Pierre	Tucker
Futrell	Scalise	Walker
Hopkins	Smith, G.—56th	Walsworth
Lancaster	Toomy	Wright
Total—15		

ABSENT

Beard	Capella	Kennard
Bruce	Devillier	
Total—5		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1788—

BY REPRESENTATIVE MORRISH AND SENATOR DARDENNE

AN ACT

To enact Subpart B of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1430 through 1430.17, and to repeal R.S. 22:1406.1 through

1406.13 and 1431 through 1445, relative to residential and commercial property insurance; to provide for the Louisiana Citizens Property Insurance Corporation; to provide for the FAIR Plan; to provide for the Coastal Plan; to provide for a board of directors; to provide for the Louisiana Insurance Rating Commission; to provide for corporate powers; to provide for certain immunity; to provide for a plan of operation; to provide for assessments; to provide for charges and surcharges; to provide for participating insurers; to provide for eligibility; to provide for insurance; to provide for rates; to provide for contributions by the state; to provide for plan deficits; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1788 by Representative Morrish, et al.

AMENDMENT NO. 1

On page 5, line 16, delete "Insurance Rating Commission" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 2

On page 9, line 15, after "members" insert ", who shall be representative of the state's population as near as practicable"

AMENDMENT NO. 3

On page 9, line 24, change "One representative" to "Five representatives" and after "governor" insert a comma (,) and insert the following:

"two of which shall be individuals who represent property and casualty insurance companies licensed by the department of insurance and writing property insurance in this state, and the remaining three representatives shall be appointed at large."

AMENDMENT NO. 4

On page 9, delete line 25

AMENDMENT NO. 5

On page 10, line 1, change "(7)" to "(6)"

AMENDMENT NO. 6

On page 10, line 4, change "(8)" to "(7)"

AMENDMENT NO. 7

On page 10, line 7, change "(9)" to "(8)" and change "Two members" to "One member" and change "four" to "three"

AMENDMENT NO. 8

On page 10, line 10, change "(10)" to "(9)" and change "Two members" to "One member" and change "four" to "three"

AMENDMENT NO. 9

On page 10, line 12, change "(11)" to "(10)" and change "Two members" to "One member" and change "four" to "three"

Page 22 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 10

On page 10, line 14, change "(12)" to "(11)"

AMENDMENT NO. 11

On page 14, line 9, delete "Insurance Rating Commission" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 12

On page 15, lines 5, 17, 22, delete "Insurance Rating Commission" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 13

On page 15, line 13, after "specific risks:" insert the following:

"procedures for the development of requests for proposals, which shall incorporate an open access plan, and shall be prerequisite to any servicing company contract;"

AMENDMENT NO. 14

On page 15, line 23, delete "Insurance Rating" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 15

On page 15, line 24, delete "Commission"

AMENDMENT NO. 16

On page 15, line 26, after "year," delete the remainder of the line in its entirety

AMENDMENT NO. 17

On page 16, delete lines 1 through 3 in their entirety.

AMENDMENT NO. 18

On page 16, line 5, delete "neither" and delete "nor the"

AMENDMENT NO. 19

On page 16, line 6, delete "Louisiana Insurance Rating Commission" and after "shall" insert "not"

AMENDMENT NO. 20

On page 16, line 10, delete "Insurance Rating Commission" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 21

On page 17, line 6, delete "Insurance Rating Commission" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 22

On page 18, line 8, delete "Insurance Rating Commission" and insert in lieu thereof "Senate Committee on Insurance and the Louisiana House Committee on Insurance"

AMENDMENT NO. 23

On page 23, line 15, delete "oversight"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1788 by Representative Morrish

AMENDMENT NO. 1

On page 3, line 3, before "that" change "Subsection" to "Subpart"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1788 by Representative Morrish

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on June 5, 2003, on page 1, delete lines 12 through 15 and insert the following:

"one from a list of two nominees from the domestic insurer with the largest direct written premium in the state of the subject lines of business; one from a list of two nominees from an insurer with at least one percent of the aggregate statewide direct written premium of the subject lines of business; and the remaining three representatives shall be appointed at large."

AMENDMENT NO. 2

On page 10, line 15, after "insurer" delete the remainder of the line and delete line 16 and insert the following:

"with the largest direct written premium in the state of the subject lines of business."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1788 by Representative Morrish and Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact" and insert the following:

"amend and reenact R.S. 22:691(C), (E), and (F)(2) and to enact R.S. 22:691(H) and"

AMENDMENT NO. 2

On page 1, line 6, after "insurance;" insert the following:

"to provide for the office of property and casualty relative to the standard fire insurance contract; to provide for cancellation notice; to provide for loss payable; to provide for terrorism coverage;"

AMENDMENT NO. 3

On page 2, line 2, after "Section 1." insert the following:

"R.S. 22:691(C), (E), and (F)(2) are hereby amended and reenacted and R.S. 22:691(H) and"

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:

"§691. Fire insurance contract; standard provisions; variations

* * *

C. Binders or other contracts for temporary insurance may be made, orally or in writing, and shall be deemed to include all the terms of such standard fire insurance policy and all such applicable endorsements, not disapproved by the ~~fire insurance division office of property and casualty~~ as may be designated in such contract of temporary insurance; except that the cancellation clause thereof specifying the hour of the day at which the insurance shall commence, may be superseded by the express terms of such contract of temporary insurance.

* * *

E.(1) Appropriate forms of other contracts or endorsements whereby the interest in the property described in such policy shall be insured against one or more of the perils which the insurer is empowered to assume, in addition to the perils covered by said standard fire insurance policy, may be approved and may, unless at any time disapproved by the ~~fire insurance division office of property and casualty~~, be used in connection with a standard fire insurance policy and such forms may contain provisions and stipulations inconsistent with the standard policy if applicable only to such other perils. The first page of the policy may, in a form approved by the ~~fire insurance division office of property and casualty~~, be rearranged to provide space for the listing of amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached, and such other data as may be conveniently included for duplication on daily reports for office records.

(2) Any policy or contract otherwise subject to the provisions of Subsections A and B hereof, which includes either on an unspecified basis as to the coverage or for a single premium, coverage against the peril of fire and substantial coverage against other perils need not comply with the provisions of Subsections A and B hereof, provided (1) such policy or contract shall afford coverage, with respect to the peril of fire, not less than the coverage afforded by said standard fire policy, (2) the provisions in relation to mortgagee interests and obligations in said standard fire policy may be incorporated therein without change, (3) such policy or contract is complete as to all of its terms without reference to the standard form of fire insurance policy or any other policy, and (4) the commissioner is satisfied that such policy or contract complies with the provisions hereof. The pages of the Standard Fire Insurance Policy may be renumbered and the format rearranged for convenience in the preparation of individual contracts, and to provide space for the listing of rates and premiums for coverages insured thereunder or under endorsement attached or printed thereon, and such other data as may be conveniently included for duplication on daily reports for office records.

F. The form of the standard fire insurance policy of the state of Louisiana (with permission to substitute for the word "company" a more accurate descriptive term for the type of insurer) shall be as follows:

* * *

(2) SECOND PAGE OF STANDARD FIRE POLICY

Concealment, fraud -- This entire policy shall be void if, whether before or after a loss, the insured has willfully concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof, or the interest of the insured therein, or in case of any fraud or false swearing by the insured relating thereto.

Uninsurable and excepted property -- This policy shall not cover accounts, bills, currency, deeds, evidence of debt, money or securities; nor, unless specifically named hereon in writing, bullion or manuscripts.

Perils not included -- This company shall not be liable for loss by fire or other perils insured against in this policy caused, directly or indirectly, by:

(a) enemy attack by armed forces, including action taken by military, naval or air forces in resisting an actual or an immediately impending enemy attack; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power; (h) order of any civil authority except acts of destruction at the time of and for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy; (i) neglect of the insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises; (j) nor shall this Company be liable for loss by theft.

Other insurance -- Other insurance may be prohibited or the amount of insurance may be limited by endorsement attached hereto.

Conditions suspending or restricting insurance. Unless otherwise provided in writing added hereto, this Company shall not be liable for loss occurring:

(a) While the hazard is increased by any means within the control or knowledge of the insured; or

(b) While a described building, whether intended for occupancy by owner or tenant, is vacant, or unoccupied beyond a period of sixty consecutive days; or

(c) As a result of explosion or riot, unless fire ensue, and in that event for loss by fire only.

Other perils or subjects -- Any other peril to be insured against or subject of insurance to be covered in this policy shall be by endorsement in writing hereon or added hereto.

Added provisions -- The extent of the application of insurance under this policy and of the contribution to be made by this Company in case of loss, and any other provision or agreement not inconsistent with the provisions of this policy, may be provided for in writing added hereto, but no provisions may be waived except such as by the terms of this policy is subject to change.

Waiver provisions -- No permission affecting this insurance shall exist, or waiver of any provision be valid unless granted herein or expressed in writing added hereto. No provision, stipulation, or forfeiture shall be held to be waived by any requirement or proceeding on the part of this Company relating to appraisal or to any examination provided for herein.

Cancellation of policy -- This policy shall be canceled at any time at the request of the insured, in which case this Company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be canceled at any time by this Company by giving to the insured a ~~twenty~~ thirty days written notice of cancellation, or ten days written notice when cancellation is for nonpayment of premium, with or without tender of the excess paid premium above the pro rata premium for the expired time which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium, if not tendered, will be refunded on demand. Upon the written request of the named insured, the insurer shall provide to the insured in writing the reasons for cancellation of the policy. There shall be no liability on the part of and no cause of action of any nature shall arise against any insurer or its agents, employees, or representatives for any action taken

Page 24 HOUSE

45th Day's Proceedings - June 19, 2003

by them to provide the reasons for cancellation as required by this Paragraph.

Mortgagee interest and obligations -- If loss hereunder is made payable in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be canceled by delivering or mailing to such mortgagee a ~~twenty~~ thirty days written notice of cancellation, or a ten days written notice of cancellation if cancellation is for nonpayment of premium.

If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this Company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's rights to sue; or it may pay off the mortgage debt and require an assignment thereof of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing.

Pro rata liability -- This Company shall not be liable for a greater proportion of any loss than the amount hereby insured shall bear to the whole insurance covering the property against the peril involved, whether collectible or not.

Requirements in case loss occurs -- The insured shall give immediate written notice to this Company of any loss, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged, and undamaged property, showing in detail quantities, costs, actual cash value, and amount of loss claimed; and within sixty days after loss, unless such time is extended in writing by this Company, the insured shall render to this Company a proof of loss, signed and sworn to by the insured, stating the knowledge and belief of the insured as to the following: the time and origin of the loss, the interest of the insured and of all others in the property, the actual cash value of each item thereof and the amount of loss thereto, all encumbrances thereon, all other contracts of insurance, whether valid or not, covering any of said property, any changes in the title, use, occupation, location, possession, or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of loss and whether or not it then stood on leased ground, and shall furnish a copy of all the descriptions and schedules in all policies and, if required, verified plans and specifications of any building, fixtures, or machinery destroyed or damaged. The insured, as often as may be reasonably required shall exhibit to any person designated by this Company all that remains of any property herein described, and submit to examinations under oath by any person named by this Company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable time and place as may be designated by this Company or its representatives, and shall permit extracts and copies thereof to be made.

Appraisal -- In case the insured and this Company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen days to agree upon such umpire, then on request of the insured or this Company such umpire shall be selected by a judge of a court of record in the state in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item; and failing to agree, shall submit their differences, only, to the umpire. An award in

writing, so itemized, of any two when filed with this Company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's options -- It shall be optional with this Company to take all, or any part, of the property at the agreed or appraised value, and also to repair, rebuild, or replace the property destroyed or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention so to do within thirty days after the receipt of the proof of loss herein required.

Abandonment -- There can be no abandonment to this Company of any property.

When loss payable -- The amount of loss for which this Company may be liable shall be payable ~~sixty~~ thirty days after proof of loss, as herein provided, is received by this Company and ascertainment of the loss is made either by agreement between the insured and this Company expressed in writing or by filing with this Company of an award as herein provided.

Suit -- No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within twelve months next after the inception of the loss.

Subrogation -- This Company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this Company.

* * *

H. For the purposes of commercial property and casualty insurance policies, the standard policy of fire insurance prescribed by this Part shall not cover loss or damage caused, directly or indirectly, by terrorism, unless an endorsement specifically assuming coverage for loss or damage caused by terrorism is attached to the policy. Insurers issuing commercial property and casualty insurance policies against the peril of fire and other perils permitted under this Section are hereby authorized to add to the policy by endorsement or include within the policy statement that the policy does not cover such loss.

* * *

AMENDMENT NO. 5

On page 2, line 4, change "is" to "are"

Rep. Morrish moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider

Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Frith	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Bruce	Kennard
Hopkins	Lucas
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1850—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 32:1720.1, relative to the towing and storage of motor vehicles; requires a repair or body shop operator to surrender a vehicle to a lienholder under certain circumstances; to require a lienholder to pay certain expenses prior to surrender of the vehicle; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Reengrossed House Bill No. 1850 by Representative Hopkins

AMENDMENT NO. 1

On page 2, line 2, after "until", insert the following:

"The registered owner of the vehicle has received a ten-day notice by certified mail and has had the opportunity to pay the storage charges and"

Rep. Hopkins moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Guillory	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Romero
Bowler	Hebert	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Hill	Kennard	Morrish
Total—3		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1863—
BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

To amend and reenact R.S. 37:2167(B)(1), relative to residential building contractors; to authorize the submission of a certificate evidencing liability protection provided by a liability trust fund in lieu of liability insurance; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed House Bill No. 1863 by Representative Bruce

AMENDMENT NO. 1

Page 26 HOUSE

45th Day's Proceedings - June 19, 2003

On page 1, line 2, between "37:2167(B)(1)" and the comma ",", insert "and to enact R.S. 37:2150.1(12) and (13), and 2157(A)(9) and Part I of Chapter 24 of Title 37 of the Revised Statutes of 1950, to be comprised of R.S. 37:2175.1 through 2175.5,"

AMENDMENT NO. 2

On page 1, line 5, between the semi-colon ";" and "and" insert "to provide for the registration of home improvement contractors; to provide for requirements for certain home improvement contracts; to provide fees for registration and renewal; to provide for administrative penalties; to provide for exemptions from registration;"

AMENDMENT NO. 3

On page 2, after line 3, add the following:

"Section 2. R.S. 37:2150.1(12) and (13), and 2157(A)(9) and Part I of Chapter 24 of Title 37 of the Revised Statutes of 1950, comprised of R.S. 37:2175.1 through 2175.5 are hereby enacted to read as follows:

§2150.1. Definitions

As used in this Chapter, the following words and phrases shall be defined as follows:

* * *

(12) "Home improvement contracting" means the reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, or demolition, or the construction of an addition to any pre-existing owner occupied building which building is used or designed to be used as a residence or dwelling unit, or to structures which are adjacent to such residence or building. "Home improvement contracting" shall not include services rendered gratuitously.

(13) "Home improvement contractor" means any person, including a contractor or subcontractor, who undertakes or attempts to, or submits a price or bid on any home improvement contracting project.

* * *

§2157. Exemptions

A. There are excepted from the provisions of this Chapter:

* * *

(9) The manufactured housing industry or those persons engaged in any type of service, warranty, repair, or home improvement work on factory-built, residential dwellings that are mounted on chassis and wheels.

* * *

PART I. HOME IMPROVEMENT CONTRACTING

§2175.1. Home improvement contracting: written contract required

A. Every agreement to perform home improvement contracting services, as defined by this Part, in an amount in excess of seventy-five hundred dollars shall be in writing and shall include the following documents and information:

(1) The complete agreement between the owner and the contractor and a clear description of any other documents which are or shall be incorporated into the agreement.

(2) The full names, addresses, and the registration number of the home improvement contractor.

(3) A detailed description of the work to be done and the materials to be used in the performance of the contract.

(4)(a) The total amount agreed to be paid for the work to be performed under the contract including all change orders and work orders.

(b) An approximation of the cost expected to be borne by the owner under a cost-plus contract or a time-and-materials contract.

(5) The signature of all parties.

B. At the time of signing, the owner shall be furnished with a copy of the contract signed by both the home improvement contractor and the owner. No work shall begin prior to the signing of the contract and transmittal to the owner of a copy of the contract.

C. Contracts which fail to comply with the requirements of this Section shall not be invalid solely because of noncompliance.

§2175.2. Home improvement contracting: registration required

A. No person shall undertake, offer to undertake, or agree to perform home improvement contracting services unless registered with and approved by the Residential Building Contractors Subcommittee of the State Licensing Board for Contractors as a home improvement contractor.

B. In order to be registered as a home improvement contractor, an applicant must make a written application under oath to the subcommittee. The application shall set forth information that includes the following:

(1) The applicant's name, home address, business address, and social security number.

(2) The names and addresses of any and all owners, partners, or trustees of the applicant including, in case of corporate entities, the names and addresses of any and all officers, directors, and principal shareholders. The Section shall not apply to publicly traded companies.

(3) A statement whether the applicant has ever been previously registered in the state as a home improvement contractor, under what other names he was previously registered, whether there have been previous judgments or arbitration awards against him, and whether his registration has ever been suspended or revoked.

C. The applicant shall furnish the board proof of workers' compensation insurance.

D. The subcommittee shall fix fees, in an amount not to exceed fifty dollars, in a manner established by its rules for the registration and renewal for home improvement contractors.

E. No application for registration or renewal conforming to the requirements of this Section may be denied or revoked except for a finding by the subcommittee that the applicant has done one or more of the following acts which are grounds for denial:

(1) Made material omissions or misrepresentations of fact on their application for registration or renewal.

(2) Failed to pay either the registration fee or renewal fee.

(3) Failed consistently to perform contracts or has performed contracts in an unworkmanlike manner or has failed to complete contracts with no good cause or has engaged in fraud or bad faith with respect to such contracts.

F. The subcommittee shall issue and deliver a certificate of registration to all applicants who have been approved for registration. Each certificate of registration issued by the subcommittee shall bear a number which shall be valid for one year from the date of its issuance and may be renewed upon approval of the subcommittee. The certificate shall not be transferable.

§2175.3. Home improvement contracting; prohibited acts; violations

A. The following acts are prohibited by persons performing home improvement contracting services:

(1) Operating without a certificate of registration issued by the subcommittee.

(2) Abandoning or failing to perform, without justification, any contract or project engaged in or undertaken by a registered home improvement contractor, or deviating from or disregarding plans or specifications in any material respect without the consent of the owner.

(3) Failing to credit the owner any payment they have made to the home improvement contractor in connection with a home improvement contracting transaction.

(4) Making any material misrepresentation in the procurement of a contract or making any false promise likely to influence, persuade, or induce the procurement of a contract.

(5) Violation of the building code of the state or municipality.

(6) Failing to notify the subcommittee of any change of trade name or address, or conducting a home improvement contracting business in any name other than the one in which the home improvement contractor is registered.

(7) Failing to pay for materials or services rendered in connection with his operating as a home improvement contractor where he has received sufficient funds as payment for the particular construction work, project, or operation for which the services or material were rendered or purchased.

(8) Making a false representation that the person is a state licensed general contractor.

B. Violations of this Section shall subject the violator to the administrative sanctions as prescribed in this Part.

§2175.4. Home improvement contracting; administrative penalties

A. If the subcommittee determines that any registrant is liable for violation for any of the provisions contained in this Part, the subcommittee may suspend the registrant's certificate of registration for such period of time as shall be determined by the subcommittee, revoke the registrant's certificate of registration, or reprimand the registrant.

B. The subcommittee may assess an administrative penalty not to exceed one hundred dollars or twenty-five percent of the total contract price, whichever is greater, payable within thirty days of their order, for each violation of any of the provisions of this Part, committed by the home improvement contractor who is registered or who is required to be registered, plus any administrative costs incurred by the subcommittee.

C. In determining whether to impose an administrative penalty, the administrator shall consider the seriousness of the violation, the effect of the violation on the complainant, any good faith on the part of the home improvement contractor, and the home improvement contractor's history of previous violations.

§2175.5. Home improvement contracting; exceptions

A. The following persons are excepted from the provisions of this Part:

(1) The state or any of its political subdivisions.

(2) A homeowner who physically performs the home improvement work on their personal residence.

(3) Persons licensed as a contractor, subcontractor, or residential building contractor pursuant to Chapter 24 of Title 37 of the Louisiana Revised Statutes of 1950.

(4) Electricians, plumbers, architects, or other persons who are required by law to attain standards of competency or experience as a prerequisite to licensure for and engaging in such profession who are acting exclusively within the scope of the profession for which they are currently licensed pursuant to such other law.

(5) Any person who performs labor or services for a home improvement contractor for wages or salary and who does not act in the capacity as a home improvement contractor.

(6) Any person who works exclusively in any of the following home improvement areas:

(a) Landscaping.

(b) Interior painting or wall covering.

B. Nothing in this Section shall be construed to waive local and state health and life safety code requirements."

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain

Page 28 HOUSE

45th Day's Proceedings - June 19, 2003

Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	

Total—103

NAYS

Total—0

ABSENT

Hunter Kennard
Total—2

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates will be purchased before such a plate is created; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1935 by Representative Katz

AMENDMENT NO. 1

On page 2, at the bottom of the page, insert:

"(iii) The secretary shall provide for rules and regulations regarding such prepayment."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed House Bill No. 1935 by Representative Katz

AMENDMENT NO. 1

On page 2, after line 22, insert the following:

"(c) The secretary shall not authorize the production of any further prestige license plates established prior to January 1, 2002, unless the conditions set forth in Sub-subparagraphs (b)(i), (ii) and (iii) of this Paragraph are met."

Rep. Katz moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Nevers
Alario	Fruge	Odinet
Alexander	Futrell	Perkins
Ansardi	Gallot	Peychaud
Arnold	Glover	Pierre
Baldone	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Powell
Beard	Heaton	Quezaire
Bowler	Hebert	Richmond
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devilleir	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Wooton
Flavin	Murray	Wright

Total—102

NAYS

Romero
Total—1

ABSENT

Kennard Winston
Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1940—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:15(D) and (E), relative to the Louisiana Gaming Control Law; to provide that civil penalties imposed by the Louisiana Gaming Control Board are applicable to the land-based casino and live horse racing facilities conducting slot machine gaming; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1940 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 27:15(D) and (E)," and insert in lieu thereof "R.S. 27:15(B)(10), (D), and (E) and 231(B),"

AMENDMENT NO. 2

On page 1, line 5, after "gaming;" and before "and" insert "to delete the provision of law requiring the Louisiana Gaming Control Board to conduct meetings in the capitol complex; to delete the provision of law requiring the presence of an agent of the Louisiana Gaming Control Board to be present at all times during hours of operation at land-based casinos;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete "R.S. 27:15(D) and (E)" and insert in lieu thereof "R.S. 27:15(B)(10), (D), and (E) and 231(B),"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert the following:

"B. The board shall:

* * *

(10) Arrange for a location ~~in the capitol complex in the parish of East Baton Rouge~~ for meetings which has adequate space to accommodate the public.

* * *"

AMENDMENT NO. 5

On page 2, after line 23, insert the following:

"§231. Corporation responsibilities relating to gaming operations

* * *

B. The corporation, through its agents, shall be ~~present and~~ available for public inquiry or complaint at all times during hours of operation in the official gaming establishment.

* * *"

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander	Gallot	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero

Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schwegmann
Broome	Hopkins	Shaw
Bruce	Hudson	Smith, G.—56th
Bruneau	Hutter	Smith, J.D.—50th
Capella	Iles	Smith, J.H.—8th
Carter, K	Jackson, L	Smith, J.R.—30th
Carter, R	Jackson, M	Sneed
Cazayoux	Johns	Stelly
Crane	Katz	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Doerge	McDonald	Waddell
Downer	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrell	Welch
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Farrar	Nevers	Wright
Faucheux	Odinet	
Flavin	Peychaud	
Total—97		

NAYS

Futrell	Perkins	Schneider
Total—3		

ABSENT

Crowe	Hunter	LeBlanc
Glover	Kennard	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Faucheux, the rules were suspended to reconsider the vote by which the Senate Amendments to House Bill No. 370 were concurred in on the same legislative day.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

HOUSE BILL NO. 370— BY REPRESENTATIVE FAUCHEUX A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Faucheux, the vote by which the Senate amendments to the above House Bill were concurred in was reconsidered.

Page 30 HOUSE

45th Day's Proceedings - June 19, 2003

HOUSE BILL NO. 370—

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 370 by Representative Faucheux

AMENDMENT NO. 1

On page 3, line 24, after "maintenance of" delete the remainder of the line and line 25 in its entirety and insert in lieu thereof:

"immovable property, the title is not transferred from the owner or owners of the immovable property at the time the cooperative endeavor agreement is entered into,"

Rep. Faucheux moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston

Faucheux
Flavin
Frith

Total—104

Murray
Nevers
Odinet

NAYS

Total—0

ABSENT

Kennard

Total—1

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 409—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:25.1, relative to the Video Draw Poker Devices Control Law; to prohibit the assessment of costs on the prevailing party in an administrative proceeding or an appeal; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 409 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 11, after "costs" and before "associated" insert ", excluding attorney's fees,"

Rep. Martiny moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling

Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	

Total—103

NAYS

Total—0

ABSENT

Kennard	Lucas
Total—2	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 728— BY SENATOR C. JONES

AN ACT

To enact R.S. 11:553(18), relative to Louisiana State Employees' Retirement System; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Murray
Alario	Frith	Psychaud
Arnold	Gallot	Pierre
Baldone	Glover	Pinac
Baylor	Guillory	Quezaire
Broome	Hammett	Richmond
Carter, R	Heaton	Romero
Crane	Hebert	Smith, J.D.—50th
Crowe	Hill	Smith, J.R.—30th
Curtis	Honey	Swilling
Damico	Hudson	Townsend
Daniel	Hunter	Walsworth
Dartez	Jackson, L	Welch
Devilleir	Lucas	Wooton
Diez	Montgomery	

Erdey
Total—46

Morrell

NAYS

Alexander	Hutter	Schneider
Ansardi	Iles	Schwegmann
Baudoin	Johns	Shaw
Bowler	Kenney	Smith, G.—56th
Bruneau	Lancaster	Smith, J.H.—8th
Capella	LeBlanc	Sneed
Cazayoux	Martiny	Stelly
Doerge	McDonald	Strain
Downer	McVea	Thompson
Downs	Morrish	Toomy
Durand	Nevers	Triche
Fannin	Odinet	Tucker
Faucheux	Perkins	Waddell
Flavin	Pitre	Walker
Frige	Powell	Winston
Futrell	Salter	Wright
Hopkins	Scalise	

Total—50

ABSENT

Beard	Green	Kennard
Bruce	Jackson, M	LaFleur
Carter, K	Katz	Landrieu
Total—9		

The Chair declared the above bill failed to pass.

Rep. Bruneau moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 761— BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th

Page 32 HOUSE

45th Day's Proceedings - June 19, 2003

Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Frige	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Downer	Kennard
Total—2	

The Chair declared the above bill was finally passed.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 801—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Martiny, the bill was returned to the calendar.

SENATE BILL NO. 867—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.13, and R.S. 46:6, to enact Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2761, and to repeal R.S. 46:6(B) and (C), relative to the Louisiana State University Health Sciences Center-Health Care Services Division; to provide for definitions; to provide for structure, duties, powers, and responsibilities of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to govern the division; and to provide for related matters.

Read by title.

Rep. Welch sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Welch to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 4, change "1519.13" to "1519.15"

AMENDMENT NO. 2

On page 1, line 15, change "1519.13" to "1519.15"

AMENDMENT NO. 3

R.S. 17:1519.11 is all proposed new law.

On page 65, line 9, after "of" and before "members" change "thirteen" to "fourteen"

AMENDMENT NO. 4

On page 65, line 18, after "years." delete the remainder of the line

AMENDMENT NO. 5

On page 65, delete line 19 in its entirety, and at the beginning of line 20, delete "duty."

AMENDMENT NO. 6

On page 68, between lines 13 and 14, insert the following:

"§1519.15. Lallie Kemp Regional Medical Center Advisory Council

R.S. 17:1519.14 is all proposed new law.

A.(1) Lallie Kemp Regional Medical Center Advisory Council is hereby established. The council shall consist of eleven members who shall serve without compensation. Legislators representing the parishes of St. Helena and Tangipahoa shall appoint nine members to serve on the advisory council. Each legislator representing portions of St. Helena And Tangipahoa parish shall appoint one member. One member shall be appointed by the hospital administrator. One member shall be appointed by the hospital employee union.

(2) Each member of the council shall hold office until the appointment and qualification of his successor. Members shall be appointed for a term of four years. Legislators may remove any member of the council for misconduct, incompetency, or neglect of duty. Members may serve two successive terms only.

(3) The council shall meet at least once in each quarter of each calendar year or upon call of the secretary or the chairman. Six members shall constitute a quorum. The council shall elect from its members a chairman, a vice chairman and secretary, and such committees as it deems necessary to carry out its duties, each for a term of one year. All meetings of the council shall be public, and except as otherwise provided by law, all records of the council shall be open to inspection.

(4) Within thirty days after their appointment, the members of the council shall take an oath, before any person authorized to administer oaths, to faithfully and impartially perform their duties. Such oaths shall be filed with the secretary of state.

(5) The domicile of the council shall be in the city of Independence.

B. The council shall:

(1) Inquire into the needs of the population and health care providers in the catchment area, the matter of the policies thereof, and make such recommendations with respect thereto as may be deemed important and necessary for the welfare of the catchment area, the health of the public in this area, and the welfare and progress of the hospitals in the catchment area.

(2) Confer and advise the hospital administrator as to how the council may best serve the Lallie Kemp Regional Medical Center."

On motion of Rep. Welch, the amendments were adopted.

Speaker Pro Tempore Bruneau in the Chair

Rep. Guillory sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Guillory to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 33, line 1, after "than" and before "percent" change "thirty-five" to "twenty"

Rep. Guillory moved the adoption of the amendments.

Rep. Welch objected.

By a vote of 47 yeas and 49 nays, the amendments were rejected.

Rep. Nevers sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nevers to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 33, line 2, change the period "." to a semicolon ";" and add "however, any reduction between fifteen and thirty-five percent shall require approval of the Joint Legislative Committee on the Budget.

Rep. Nevers moved the adoption of the amendments.

Rep. Welch objected.

By a vote of 45 yeas and 51 nays, the amendments were rejected.

Rep. Robert Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robert Carter to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 33, line 2, after "level." and before "Funding" insert the following:

"There shall not be more than a ten percent disparity in reduction of services between any institution."

Rep. Robert Carter moved the adoption of the amendments.

Rep. Welch objected.

By a vote of 37 yeas and 58 nays, the amendments were rejected.

Rep. McVea sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McVea to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 32, line 20, at the beginning of the line delete "legislative approval", and insert in lieu hereof "a two-thirds vote of each the House and Senate of the Louisiana Legislature"

On motion of Rep. McVea, the amendments were withdrawn.

Rep. LeBlanc sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 33, line 6, after "owned" delete the remainder of the line and delete line 7 and insert "or operated by the board."

AMENDMENT NO. 2

On page 39, at the end of line 14, delete the period "." and insert "with the revenue it reasonably expects to collect, as reflected in the operating budget approved by the board."

AMENDMENT NO. 3

On page 52, line 5, change "these schedules" to "this schedule"

AMENDMENT NO. 4

On page 52, delete lines 21 and 22 and insert "such revenues which are budgeted and allocated for such purpose in the Medicaid budget until implementation by the Department of"

AMENDMENT NO. 5

On page 52, line 24, after "hospitals." and before "The" insert "If the amount of such revenues budgeted and allocated for such purpose in the Medicaid budget is revised during a fiscal year, the Department of Health and Hospitals shall notify the board of such revision. Upon receipt of the notification, the board shall adjust the operating budget for these hospitals which adjustment shall be in conformity with the revision."

AMENDMENT NO. 6

On page 59, at the end of line 18, insert

"The reports shall include, for each hospital and the executive administration and general support program, a complete and detailed accounting on a cash basis of all revenues by source, including but not limited to, state general fund, Medicaid, Medicaid-Uncompensated Care, Medicare, self-pay and commercial insurance, federal grants, and receipts from any other public or private entity, and all expenditures for

Page 34 HOUSE

45th Day's Proceedings - June 19, 2003

the prior quarter in a form and manner approved by the Joint Legislative Committee on the Budget. The reports shall also include, for each hospital and the executive administration and general support program for the current quarter and the next three quarters, projections of the costs that will be eligible for reimbursement from Medicaid payments or uncompensated care payments to be made by the Department of Health and Hospitals."

AMENDMENT NO. 7

On page 68, line 22, change "state of Louisiana" to "board"

AMENDMENT NO. 8

On page 68, at the beginning of line 24, change "above" to "with an income greater than"

AMENDMENT NO. 9

On page 69, line 16, change "state of Louisiana" to "board"

AMENDMENT NO. 10

On page 69, line 23, change "state of Louisiana" to "board"

AMENDMENT NO. 11

On page 70, line 14, after "required" and before the period "." insert "by rule and as allocated in appropriations to the Medical Vendor Payments Program."

AMENDMENT NO. 12

On page 71, at the end of line 13, change "year" to "years" and at the beginning of line 14, change "2003-2004" to "2003-2004 and 2004-2005"

AMENDMENT NO. 13

On page 71, at the end of line 16, delete the period "." and insert "and as reflected in appropriations to the Medical Vendor Payments Program for each year."

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. Landrieu sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landrieu to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 49, between lines 11 and 12, insert the following:

"E. The board shall allow all Louisiana licensed insurance companies currently providing voluntary benefits through the division of administration as an approved insurer, the authority to service existing LSU HSC hospital employees and to solicit and enroll LSU HSC hospital employees for voluntary benefits on a payroll deduction basis."

AMENDMENT NO. 2

On page 49, at the beginning of line 12, change "E." to "F."

On motion of Rep. Landrieu, the amendments were adopted.

Rep. Hunter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

In House Floor Amendment No. 6 proposed by Representative Welch and adopted by the House on June 19, 2003, on page 2, line 3, after "years." delete the remainder of the line and delete line 4 in its entirety and at the beginning of line 5 delete "duty."

On motion of Rep. Hunter, the amendments were adopted.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Landrieu and adopted by the House on June 19, 2003.

Rep. Hebert moved the adoption of the amendments.

Rep. Landrieu objected.

By a vote of 60 yeas and 37 nays, the amendments were adopted.

Rep. Walsworth sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 49, after line 13, insert the following:

"F. Notwithstanding any other provisions of this Subpart to the contrary, the board is prohibited from constructing or acquiring a new hospital to replace Earl K. Long Medical Center in Baton Rouge."

On motion of Rep. Walsworth, the amendments were withdrawn.

Rep. Welch moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Flavin	Perkins
Alexander	Frith	Peychaud
Ansardi	Fruge	Pierre
Arnold	Futrell	Pinac
Baldone	Gallot	Pitre
Baudoin	Glover	Quezaire
Baylor	Green	Romero

Beard	Hammett	Salter
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	LaFleur	Townsend
Diez	Lancaster	Triche
Doerge	LeBlanc	Tucker
Downer	Lucas	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Total—87		

NAYS

Carter, K	Iles	Powell
Carter, R	Landrieu	Richmond
Guillory	McVea	Smith, J.R.—30th
Hill	Murray	Strain
Honey	Nevers	Wright
Total—15		

ABSENT

Devillier	Kennard	Swilling
Total—3		

The Chair declared the above bill was finally passed.

Rep. Welch moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Speaker DeWitt in the Chair

SENATE BILL NO. 963—

BY SENATORS CRAVINS, MICHOT, IRONS AND HOLDEN AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

AN ACT

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Thompson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Thompson, Hammett, Hunter, and Landrieu to Re-reengrossed Senate Bill No. 963 by Senator Cravins

AMENDMENT NO. 1

In House Committee Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 9, 2003, on line 44, delete "Savings"

and insert in lieu thereof "The executive budget submitted annually by the governor shall provide that savings"

Motion

On motion of Rep. Landrieu, the bill was returned to the calendar.

SENATE BILL NO. 986—

BY SENATOR IRONS

AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devilleir	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Fruge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Daniel	Kennard
--------	---------

Page 36 HOUSE

45th Day's Proceedings - June 19, 2003

Total—2

The Chair declared the above bill was finally passed.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1027— BY SENATOR JOHNSON

AN ACT

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Heaton	Powell
Baylor	Hill	Quezaire
Bowler	Honey	Richmond
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LaFleur	Sneed
Damico	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Downer	Martiny	Toomy
Downs	McDonald	Townsend
Durand	McVea	Triche
Fannin	Montgomery	Walker
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	

Total—91

NAYS

Total—0

ABSENT

Arnold	Hammett	Tucker
Beard	Hebert	Waddell
Daniel	Hopkins	Walsworth
Dartez	Kennard	Wooton
Erdey	Scalise	

Total—14

The Chair declared the above bill was finally passed.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1031— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 40:2403(H) and to enact R.S. 14:67.16(G) and R.S. 44:3(G), relative to crimes of misappropriation without violence; to provide relative to the crime of identity theft; to provide relative to the investigation of an allegation of such crime; to require such investigation under certain circumstances; to require training of police officers relative to such crime; to require funding prior to the implementation of such training; to provide for an effective date for the implementation of such training; and to provide for related matters.

Read by title.

Rep. Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Green	Quezaire
Baldone	Guillory	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Murray	Winston
Farrar	Nevers	Wooton
Faucheux	Odinet	Wright
Flavin	Perkins	
Frith	Peychaud	

Total—100

NAYS

Total—0

ABSENT

Daniel Kennard Morrish
Hammett McVea
Total—5

The Chair declared the above bill was finally passed.

Rep. Romero moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1035—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 11:1732(14)(a), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to the definition of employer; to allow employees of planning and development commissions to join the retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Triche moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Ansardi	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Fauchoux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Perkins	
Futrell	Psychaud	
Total—100		

NAYS

Alexander
Total—1

ABSENT

Arnold Hammett
Carter, K Kennard
Total—4

The Chair declared the above bill was finally passed.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1076—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state public retirement or pension systems, funds, and plans; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to invest in small and emerging businesses, venture capital firms, and in-state money management firms; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to use in or out-of-state emerging businesses, money managers, and venture capital firms; to require each Louisiana state public retirement or pension system, fund, or plan to direct at least ten percent of all investment trades through a broker-dealer who maintains an office in Louisiana and ten percent through a broker-dealer who has been incorporated and domiciled in Louisiana for at least two years; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	Montgomery	Waddell
Durand	Morrell	Walker
Fannin	Morrish	Walsworth

Page 38 HOUSE

45th Day's Proceedings - June 19, 2003

Faucheux
Flavin
Frith
Fruge
Futrell
Gallot
Total—94

Murray
Nevers
Odinet
Perkins
Peychaud
Pierre

Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Alexander
Arnold
Broome
Daniel
Total—11

Erdey
Farrar
Hammett
Jackson, M

Kennard
McVea
Sneed

The Chair declared the above bill was finally passed.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1090—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Metropolitan Human Services District; to provide for powers, duties, and functions of the district; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the district; to provide for the transfer of employees; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K

Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th

Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Diez
Doerge
Downer
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Fruge
Total—100

Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Thompson
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Devillier Kennard Toomy
Downs Swilling
Total—5

The Chair declared the above bill was finally passed.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1110—
BY SENATOR BOISSIERE

AN ACT

To enact Part I-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:25.1 through 25.2, relative to motor vehicle insurance; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

Read by title.

Rep. Robert Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Carter to Engrossed Senate Bill No. 1110 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 22:658(A)(4) and (B)(1) and to"

AMENDMENT NO. 2

On page 1, line 4, after "insurance;" insert "to provide for penalties for failure to make a written offer to settle to third-party claimants;"

AMENDMENT NO. 3

On page 1, line 9, after "1." insert "R.S. 22:658(A)(4) and (B)(1) are hereby amended and reenacted and"

AMENDMENT NO. 4

On page 4, after line 5, insert a line of asterisks " * * *" and the following:

"§658. Payment and adjustment of claims, policies other than life and health and accident; personal vehicle damage claims; penalties; arson-related claims suspension

A.

* * *

(4) All insurers shall make a written offer to settle any property damage claim, including a third-party claim, within thirty days after receipt of satisfactory proofs of loss of that claim.

B.(1) Failure to make such payment within thirty days after receipt of such satisfactory written proofs and demand therefor or failure to make a written offer to settle any property damage claim, including a third-party claim, within thirty days after receipt of satisfactory proofs of loss of that claim, as provided in ~~R.S. 22:658(A)(1) Paragraphs (A)(1) and (4), respectively,~~ or failure to make such payment within thirty days after written agreement or settlement as provided in ~~R.S. 22:658(A)(2) Paragraph (A)(2),~~ when such failure is found to be arbitrary, capricious, or without probable cause, shall subject the insurer to a penalty, in addition to the amount of the loss, of ~~ten~~ twenty-five percent damages on the amount found to be due from the insurer to the insured, or one thousand dollars, whichever is greater, payable to the insured, or to any of said employees, ~~together with all reasonable attorney fees for the prosecution and collection of such loss;~~ or in the event a partial payment or tender has been made, ~~ten~~ twenty-five percent of the difference between the amount paid or tendered and the amount found to be due ~~and all reasonable attorney fees for the prosecution and collection of such amount.~~

* * *

On motion of Rep. Robert Carter, the amendments were adopted.

Rep. Murray moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Ansardi	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Broome	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinet	
Total—95		

NAYS

Page 40 HOUSE

45th Day's Proceedings - June 19, 2003

Bowler
Total—2

Smith, G.—56th

ABSENT

Alexander
Arnold
Crowe
Total—8

Downs
Hammett
Kennard

Perkins
Swilling

The Chair declared the above bill was finally passed.

Rep. Murray moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 4—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 43:111.1, relative to public media advertising; to prohibit the expenditure of any state funds for media advertisement which mentions any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity for media advertisement which mentions any public official whether elected or appointed; to provide exceptions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Lancaster, the bill was returned to the calendar.

SENATE BILL NO. 30—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to the compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

Read by title.

Rep. Montgomery sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Engrossed Senate Bill No. 30 by Senator Cain

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 4, after "425(E)," and before "1303(A)," delete "541, 542,"

AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 5, after "1308(A)(1)(a)," and before "1331," delete "1309(A)(2),"

AMENDMENT NO. 3

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 8, after "in person;" delete the remainder of the line and delete line 9 and at the beginning of line 10, delete "of voting;"

AMENDMENT NO. 4

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 25, after "425(E)," and before "1303(A)," delete "541, 542,"

AMENDMENT NO. 5

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, at the beginning of line 26 delete "1309(A)(2),"

AMENDMENT NO. 6

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, delete lines 29 through 36 and on page 2 delete lines 1 through 4

AMENDMENT NO. 7

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 3, delete lines 30 through 52

On motion of Rep. Montgomery, the amendments were adopted.

Rep. Green sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed Senate Bill No. 30 by Senator Cain

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 4, after "425(E)," and before "1303(A)," delete "541, 542,"

AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 5, after "1332(A)" insert a comma "," and insert "to enact R.S. 18:425.2,"

AMENDMENT NO. 3

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 8, after "in person;" delete the remainder of the line and delete line 9 and on line 10, delete "of voting;" and insert "to provide for the parish board of election supervisors to schedule two commissioners or commissioners-in-charge to each serve for half of an election day and to split the compensation received;"

AMENDMENT NO. 4

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 25, after "425(E)," and before "1303(A)," delete "541, 542,"

AMENDMENT NO. 5

On page 1, line 7, after "reenacted" and before "to read" insert "and R.S. 18:425.2 is hereby enacted"

AMENDMENT NO. 6

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, delete lines 29 through 36 and delete lines 1 through 4 on page 2 and insert the following:

"§425.2. Commissioners and commissioners-in-charge: split hours

Notwithstanding any other provision of law to the contrary, if a parish board of election supervisors determines that the parish has a shortage of commissioners or commissioners-in-charge to serve at the polls on election day, the parish board of election supervisors may provide for a commissioner or commissioner-in-charge to split the hours served on election day in half with another commissioner or commissioner-in-charge, as the case may be. In each such case, the compensation of the commissioner or commissioner-in-charge shall be half of what the commissioner or commissioner-in-charge would receive for a full day of service, as provided for in R.S. 18:424(E) or R.S. 18:425(E). Any commissioner or commissioner-in-charge who desires to split the hours that he works on election day shall notify the appropriate clerk of court at least sixty days prior to the election. The State Board of Election Supervisors shall prescribe uniform rules with respect to the selection, scheduling, and procedures relative to a parish board of election supervisors splitting the hours that a commissioner or commissioner-in-charge will work on election day.

* * *

On motion of Rep. Green, the amendments were adopted.

Rep. Montgomery moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Futrell	Psychaud
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baylor	Guillory	Powell
Beard	Hammett	Quezaire
Broome	Heaton	Richmond
Bruce	Hebert	Romero
Bruneau	Hill	Salter
Capella	Honey	Schneider
Carter, K	Hopkins	Schwegmann
Carter, R	Hudson	Smith, G.—56th
Cazayoux	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Curtis	Iles	Smith, J.R.—30th
Damico	Jackson, L	Stelly
Daniel	Jackson, M	Strain
Dartez	Johns	Swilling

Diez	Kenney	Thompson
Doerge	LaFleur	Townsend
Downer	Landrieu	Triche
Downs	LeBlanc	Waddell
Durand	Lucas	Walker
Erdey	Martiny	Welch
Farrar	McDonald	Wooton
Faucheux	Montgomery	Wright
Flavin	Murray	
Total—83		

NAYS

Alexander	McVea	Toomy
Bowler	Morrish	Tucker
Crowe	Perkins	Walsworth
Fannin	Scalise	Winston
Katz	Shaw	
Lancaster	Sneed	
Total—16		

ABSENT

Baudoin	Fruge	Morrell
Devillier	Kennard	Nevers
Total—6		

The Chair declared the above bill was finally passed.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 90—

BY SENATORS MCPHERSON AND MARIONNEAUX
AN ACT

To enact Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.20 through 844.24, relative to electronic mail solicitation; to provide for a "no junk mail" listing of residential and business Internet electronic mail subscribers; to provide for listing procedures; to prohibit certain acts; to provide for notification; to provide for penalties for violations; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 128—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:433(C) and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal awards; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Perkins
Alexander	Fruge	Psychaud

Page 42 HOUSE

45th Day's Proceedings - June 19, 2003

Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Landrieu	Triche
Devillier	LeBlanc	Tucker
Diez	Lucas	Waddell
Doerge	McDonald	Walker
Downer	McVea	Walsworth
Downs	Montgomery	Welch
Durand	Morrell	Winston
Erdey	Morrish	Wooton
Fannin	Murray	Wright
Farrar	Nevers	
Total—92		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Smith, J.D.—50th
Faucheux	Lancaster	Swilling
Glover	Martiny	Townsend
Honey	Romero	
Hopkins	Smith, G.—56th	
Total—13		

The Chair declared the above bill was finally passed.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 262— BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4712.8, relative to economic development for the city of Westlake; to authorize the city of Westlake to transfer certain property no longer needed for public purposes; to provide for the creation of a board to govern the sale of such property; to provide for the purpose, powers, duties and membership of the board; to provide for the authority of the board; to provide for the duties of the governing authority of the city of Westlake with respect to the board; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 262 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To enact" delete the remainder of line 2, and at the beginning of line 3, delete "Westlake;" and insert in lieu thereof "R.S. 33:2740.55 and 4712.8, relative to economic development;"

AMENDMENT NO. 2

On page 1, line 8, after "to the board;" and before "and to" insert "to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans;"

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." and before "hereby enacted" delete "R.S. 33:4712.8 is" and insert in lieu thereof "R.S. 33:2740.55 and 4712.8 are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert the following:

"§2740.55. Southwest Ouachita Economic Development District

A. Creation. The Southwest Ouachita Economic Development District, referred to in this Section as the "district", is hereby created in the parish of Ouachita. The district shall be a political subdivision of the state created for the purpose of developing the area included within the district in order to provide for substantial economic activity and employment opportunities.

B. Boundaries. The district shall be comprised of all the territory outside the municipal limits of the city of West Monroe and included within the following boundaries: the northern boundary shall be Interstate 20, the eastern boundary shall be the Ouachita River, the western boundary shall be the Ouachita Parish line, the southern boundary shall be the Ouachita Parish line.

C. Governance. (1) In order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, improvements, and facilities to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, the district shall be managed by a five-member board of commissioners, referred to in this Section as the "board". The members of the board shall be appointed by the governor from a list nominations submitted as follows:

(a) Two members shall be nominated by the state representative for House District No. 15.

(b) One member shall be nominated by the state representative for House District No. 13.

(c) One member shall be nominated by the state senator for Senate District No. 32.

(d) One member shall be nominated by the state senator for Senate District No. 35.

(2)(a) Members of the board shall serve three-year terms after initial terms as provided by Subparagraph (b) of this Paragraph.

(b) Three members shall serve an initial term of two years and two members shall serve an initial term of three years, as determined by lot at the first meeting of the board.

(c) Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled for

the remainder of the unexpired term in the same manner as the original appointment.

(3) The board shall elect from its members a chairman, a vice chairman, a secretary-treasurer, and such other officers as it may deem necessary. The duties of the officers shall be fixed by the bylaws adopted by the board.

(4) The minute books and archives of the district shall be maintained by the secretary of the board. The monies, funds, and accounts of the district shall be in the official custody of the board.

(5) The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business affairs. It shall hold regular meetings as shall be provided in the bylaws and may hold special meetings at such times and places within the district as may be prescribed in the bylaws.

(6) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available through the secretary of the board.

(7) The members of the board shall serve without compensation.

D. District plan. (1) The board shall prepare or cause to be prepared a plan or plans, referred to in this Section as the "plan", specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district and shall conduct public hearings, publish notice with respect thereto, and disseminate information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

(2) Any plan may specify and encompass any public services, capital improvements, and facilities which the parish of Ouachita is authorized to undertake, furnish, or provide under the constitution and laws of the state of Louisiana, and such specified public services, improvements, and facilities shall be special and in addition to all services, improvements, and facilities which the parish of Ouachita is then furnishing or providing or may then or in the future be obligated to furnish or provide within the district.

(3) Any plan shall include:

(a) An estimate of the annual and total cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein.

(b) An estimate of the total number of mills required to be levied each year on the taxable real property within the district in order to provide the funds required for the implementation of the plan.

(c) The proportion of the tax to be levied on the taxable real property within the district which is to be set aside and dedicated to paying the cost of furnishing specified services and the proportion of such tax to be set aside and dedicated to paying the cost of capital improvements or paying the cost of debt service on any bonds to be issued to pay the cost of capital improvements, such proportions, in each case, to be expressed in numbers of mills.

(4) Any monies received by the district must be used exclusively for the development of the district plan.

(5) The board shall submit the plan to the governing authority of the parish of Ouachita. The governing authority of the parish shall review and consider the plan, but the board need not receive approval of the parish governing authority prior to implementing such plan.

E. Services and improvements. (1) All services to be furnished within the district pursuant to any plan finally and conclusively adopted

may be furnished, supplied, and administered by the parish of Ouachita through its regularly constituted departments, agencies, boards, commissions, and instrumentalities. All capital improvements and facilities to be acquired, constructed, or provided within the district may likewise be so acquired, constructed, or provided by the parish of Ouachita through its regularly constituted departments, agencies, boards, commissions, and instrumentalities, it being the intention of this Paragraph to avoid the duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district.

(2) In order to provide services and/or provide, construct, or acquire capital improvements or facilities, the board may enter into intergovernmental local service contracts with the parish of Ouachita.

* * *

AMENDMENT NO. 5

On page 11, below line 9, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Stelly moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Peychaud
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Doerge	McVea	Waddell
Downer	Montgomery	Walker
Durand	Morrell	Walsworth
Erdey	Morrish	Welch
Fannin	Murray	Winston
Farrar	Nevers	Wooton

Page 44 HOUSE

45th Day's Proceedings - June 19, 2003

Faucheux
Flavin
Total—98

Odinet
Perkins

Wright

NAYS

Total—0

ABSENT

Downs
Glover
Heaton
Total—7

Honey
Hopkins
Kennard

Romero

The Chair declared the above bill was finally passed.

Rep. Stelly moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 307— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and 1235.2(A), relative to qualifications to operate ambulances and ambulance providers and licensure; to provide an exception regarding heliports; and to provide for related matters.

Read by title.

Rep. Scalise moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, L	Sneed
Crane	Jackson, M	Stelly
Crowe	Johns	Strain
Curtis	Katz	Swilling
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Triche
Diez	LeBlanc	Tucker
Doerge	Lucas	Waddell
Downer	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright

Flavin
Frith
Total—100

Nevers
Odinet

NAYS

Total—0

ABSENT

Downs
Kennard
Total—5

McVea
Richmond

Schneider

The Chair declared the above bill was finally passed.

Rep. Scalise moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 400— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 37:1367(A), relative to professions and occupations; to provide with respect to plumbers; to provide for a licensed journeyman plumber to supervise three apprentices on a job; and to provide for related matters.

Read by title.

Rep. Scalise moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	

Frith
Total—100

Perkins

NAYS

Total—0

ABSENT

Downs
Glover
Total—5

Kennard
McVea

Townsend

The Chair declared the above bill was finally passed.

Rep. Scalise moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 421—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 437—
BY SENATORS CAIN AND CRAVINS

AN ACT

To amend and reenact R.S. 4:144(A); to provide for the membership of the State Racing Commission; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pinac, the bill was returned to the calendar.

SENATE BILL NO. 578—
BY SENATOR FONTENOT AND REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 39:33.2, relative to the minimum foundation program; to provide relative to returning the formula to the State Board of Elementary and Secondary Education; and to provide for related matters.

Read by title.

Rep. Erdey sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Erdey to Engrossed Senate Bill No. 578 by Senator Fontenot

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on line 20, after "R.S." and before "and shall" delete "39:45.1" and insert "39:33"

On motion of Rep. Erdey, the amendments were adopted.

Rep. Erdey moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Odinot
Alexander	Fruge	Perkins
Ansardi	Futrell	Peychaud
Arnold	Gallot	Pierre
Baldone	Glover	Pinac
Baudoin	Green	Pitre
Baylor	Guillory	Powell
Beard	Hammett	Quezaire
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Schwegmann
Capella	Hopkins	Shaw
Carter, R	Hudson	Smith, G.—56th
Cazayoux	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Crowe	Jackson, L	Smith, J.R.—30th
Curtis	Jackson, M	Stelly
Damico	Johns	Strain
Daniel	Katz	Swilling
Dartez	Kenney	Thompson
Devillier	LaFleur	Toomy
Diez	Lancaster	Townsend
Doerge	Landrieu	Triche
Downer	LeBlanc	Tucker
Downs	Lucas	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wright
Total—96		

NAYS

Carter, K	Richmond
Murray	Salter
Total—4	

ABSENT

Iles	McVea	Wooton
Kennard	Sneed	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Erdey moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 593—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 44:3(A)(7), relative to public records; to provide that certain records or information contained therein which are in the custody of the Louisiana Bureau of Criminal Identification and Information shall not be subject to disclosure; to provide for exceptions; and to provide for related matters.

Read by title.

Page 46 HOUSE

45th Day's Proceedings - June 19, 2003

Motion

On motion of Rep. McDonald, the bill was returned to the calendar.

SENATE BILL NO. 687—

BY SENATOR ULLO

AN ACT

To repeal R.S. 42:1116.1, relative to elected officials; to repeal the requirement of random drug testing of elected officials; and to provide for related matters.

Read by title.

Rep. Murray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 687 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 2, after "42:1116.1" and the comma "," insert "R.S. 49:1015, and 1021,"

AMENDMENT NO. 2

On page 1, line 2, after "officials" and before the semicolon ";" insert "and public employees"

AMENDMENT NO. 3

On page 1, line 3, after "officials" and before the semicolon ";" insert "and public employees"

AMENDMENT NO. 4

On page 1, after line 6, insert the following:

"Section 2. R.S. 49:1015 and 1021 are hereby repealed in their entirety."

On motion of Rep. Murray, the amendments were adopted.

Rep. Damico moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Morrell
Alario	Guillory	Murray
Ansardi	Hammett	Odinot
Arnold	Heaton	Pierre
Baylor	Hill	Pinac
Bowler	Honey	Quezaire
Carter, K	Hopkins	Richmond
Cazayoux	Hudson	Schwegmann
Crane	Hunter	Smith, J.D.—50th
Curtis	Hutter	Smith, J.H.—8th
Damico	Iles	Smith, J.R.—30th
Daniel	Jackson, L	Sneed
Diez	Jackson, M	Stelly
Doerge	Johns	Swilling
Downs	Kenney	Thompson
Durand	Landrieu	Townsend

Farrar
Fauchoux
Flavin
Futrell
Gallot
Total—63

LeBlanc
Lucas
Martiny
McDonald
Montgomery

Triche
Tucker
Waddell
Wooton
Wright

NAYS

Alexander
Baldone
Beard
Bruce
Bruneau
Crowe
Dartez
Downer
Erdey
Fannin
Total—29

Fruge
Hebert
Katz
LaFleur
Morrish
Nevers
Perkins
Pitre
Powell
Romero

Salter
Scalise
Schneider
Shaw
Smith, G.—56th
Strain
Toomy
Walker
Winston

ABSENT

Baudoin
Broome
Capella
Carter, R
Devillier
Total—13

Frith
Glover
Kennard
Lancaster
McVea

Peychaud
Walsworth
Welch

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 736—

BY SENATOR C. JONES

AN ACT

To enact Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 335, relative to rural development; to provide for the Rural Town Revitalization Program; to provide a definition of "rural town"; to provide for legislative findings and declaration; to create the Rural Town Revitalization Fund; to provide for administration of the fund; to provide for rules, regulations, and program guidelines; and to provide for related matters.

Read by title.

Rep. Jack Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Reengrossed Senate Bill No. 736 by Senator C. Jones

AMENDMENT NO. 1

On page 2, line 22, after "population of" and before "thousand" change "twelve" to "thirteen"

Motion

Rep. Jack Smith moved the bill be indefinitely postponed.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Frith	Peychaud
Alexander	Fruge	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	Montgomery	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Winston
Faucheux	Odinet	Wooton
Flavin	Perkins	Wright
Total—90		

NAYS

Mr. Speaker	Jackson, L
Honey	Richmond
Total—4	

ABSENT

Carter, R	Green	Morrell
Curtis	Hunter	Quezaire
Devillier	Kennard	Swilling
Glover	McVea	
Total—11		

The bill was indefinitely postponed.

SENATE BILL NO. 836—

BY SENATOR MCPHERSON

AN ACT

To enact Subpart F of Part I of Chapter 6 of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:2740.71 through 33:2740.88, relative to special districts; to authorize municipalities and parishes to create business improvement districts; to provide for definitions; to provide for the establishment of a business improvement development district; to provide for a board of commissioners; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments upon a vote of the electors of the district; to provide for fees and charges; to provide for termination of the district; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McDonald, the bill was returned to the calendar.

SENATE BILL NO. 839—

BY SENATORS JOHNSON, BARHAM AND ULLO

AN ACT

To enact R.S. 49:153.3, relative to the displaying of flags; to recognize the flag of the former Republic of Vietnam as the official flag to be displayed in the state; and to provide for related matters.

Read by title.

Rep. Swilling moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Perkins
Alexander	Green	Peychaud
Ansardi	Guillory	Pierre
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Broome	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Cazayoux	Iles	Shaw
Crane	Jackson, L	Smith, G.—56th
Crowe	Jackson, M	Smith, J.D.—50th
Curtis	Johns	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Diez	Landrieu	Strain
Doerge	LeBlanc	Swilling
Downer	Lucas	Toomy
Downs	Martiny	Townsend
Durand	McDonald	Triche
Farrar	Montgomery	Tucker
Faucheux	Morrell	Waddell
Flavin	Morrish	Walker
Frith	Murray	Welch
Futrell	Nevers	Winston
Gallot	Odinet	Wooton
Total—90		

NAYS

Bowler	Katz	Thompson
Fannin	McVea	Wright
Fruge	Pinac	
Total—8		

ABSENT

Mr. Speaker	Devillier	Walsworth
Baudoin	Erdey	
Carter, R	Kennard	
Total—7		

The Chair declared the above bill was finally passed.

Page 48 HOUSE

45th Day's Proceedings - June 19, 2003

Rep. Swilling moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 843—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 45:844.14(A)(1), relative to the Telephone Solicitation Relief Act of 2001; provides relative to listing procedures; repeals the five dollar initial listing and renewal charge; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—98		

NAYS

Total—0

ABSENT

Alexander	Kennard	Waddell
Downer	McDonald	
Downs	Swilling	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 4—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 43:111.1, relative to public media advertising; to prohibit the expenditure of any state funds for media advertisement which mentions any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity for media advertisement which mentions any public official whether elected or appointed; to provide exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—97		

NAYS

Total—0

ABSENT

Baylor	Heaton	Swilling
Downer	Kennard	Triche
Fruge	McDonald	

Total—8

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 421—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Odinot
Alexander	Fruge	Perkins
Ansardi	Futrell	Psychaud
Arnold	Gallot	Pierre
Baldone	Green	Pinac
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Waddell
Downs	Martiny	Walsworth
Durand	McDonald	Welch
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Murray	
Total—98		

NAYS

Walker
Total—1

ABSENT

Glover
Kennard
Total—6

Morrish
Pitre

Sneed
Tucker

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 882—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 18:491, relative to elections; to authorize certain elected officials to bring an action objecting to the candidacy of a person who qualifies in a primary election; to require creditable evidence; and to provide for related matters.

Read by title.

Rep. Shaw moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Fruge	Odinot
Alexander	Futrell	Perkins
Ansardi	Gallot	Psychaud
Arnold	Glover	Pierre
Baldone	Green	Pinac
Baudoin	Hammett	Pitre
Beard	Heaton	Powell
Bowler	Hebert	Quezaire
Broome	Hill	Richmond
Bruce	Honey	Romero
Bruneau	Hopkins	Salter
Capella	Hudson	Scalise
Carter, K	Hunter	Schneider
Carter, R	Hutter	Schwegmann
Cazayoux	Iles	Shaw
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—99		

NAYS

Mr. Speaker
Total—3

Baylor

Smith, G.—56th

ABSENT

Guillory
Total—3

Kennard

Toomy

The Chair declared the above bill was finally passed.

Rep. Shaw moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 909—
BY SENATOR CAIN

AN ACT

To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

Read by title.

Rep. Tucker sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed Senate Bill No. 909 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, after "45:844.8" insert "and 844.12(4)(g)"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete "wireless"

AMENDMENT NO. 3

On page 1, line 4, after "Commission;" insert "to provide for telephonic solicitations; to provide for exceptions;"

AMENDMENT NO. 4

On page 1, line 6, change "R.S. 45:844.8 is" to R.S. 45:844.8 and 844.12(4)(g) are"

AMENDMENT NO. 5

On page 1, below line 11, insert the following:

* * *

§844.12. Definitions

As used in this Chapter, the following terms and phrases shall have the meanings hereinafter ascribed to them:

* * *

(4) "Telephonic solicitation" means any voice or data communication made by a telephonic solicitor to a residential telephonic subscriber for the purpose of encouraging a sale or rental of or investment in property, consumer goods, or services; or for the purpose of encouraging an extension of credit for property, consumer goods, or services; or for the purpose of obtaining information that will or may be used for the direct solicitation of a sale or rental of or investment in property, consumer goods, or services or an extension of credit for such purposes; or for the solicitation of a contribution to a charitable organization, but does not include voice or data communications made for any of the following reasons:

* * *

R.S. 45:844.12(4)(g) is all proposed new law.

(g) By a person or business that does not complete the sales presentation during the telephone solicitation and made in contemplation of the sales presentation being completed at a later face-to-face meeting between the telephonic solicitor and the person contacted."

On motion of Rep. Tucker, the amendments were adopted.

Rep. Tucker moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Guillory	Quezaire
Baylor	Hammett	Romero
Beard	Heaton	Salter
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Schwegmann
Capella	Hopkins	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinot	Wright
Total—96		

NAYS

Wooton
Total—1

ABSENT

Broome	Jackson, L	Morrell
Curtis	Jackson, M	Richmond
Hudson	Kennard	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Tucker moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1008—
BY SENATOR MCPHERSON**AN ACT**

To enact R.S. 33:2451(A)(13) and (14), relative to the civil service system and personnel administration in Rapides Parish; to exempt certain program director positions from the civil service system; and to provide for related matters.

Read by title.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed Senate Bill No. 1008 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "relative" delete "enact R.S. 33:2451(A)(13) and (14)," and insert in lieu thereof "amend and reenact R.S. 33:2451,"

AMENDMENT NO. 2

On page 1, line 3, after "Rapides Parish; to" delete the remainder of the line and on line 4, delete "director positions from the civil service system;" and insert in lieu thereof "authorize the civil service board, by rule, to exempt positions from provisions of law regarding appointment, promotion, and dismissal; to provide limitations;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." change "R.S. 33:2451(A)(13) and (14) are hereby enacted" to "R.S. 33:2451 is hereby amended and reenacted"

AMENDMENT NO. 4

On page 1, line 15, after "this" and before "regarding" change "law" to "Part"

AMENDMENT NO. 5

On page 2, delete lines 2 through 7 and insert:

" (1) All elected officials.

(2) The parish treasurer.

(3) The parish administrator.

(4) Members of advisory boards and political subdivisions created by the police jury and their employees.

(5) Organizations and their employees and other persons who are employed by the parish on a contractual or part-time basis.

(6) The parish attorney and his legal assistants.

(7) The public works director.

(8) The federal programs director.

(9) The sales tax director.

(10) The parish secretary.

(11) Parish firefighters.

(12) Any other employee expressly forbidden from participation in a civil service system by the constitution or statute.

B. The civil service board may provide by rule that additional positions shall not be subject to the provisions of this Part regarding appointment, promotion, and dismissal; however, the board shall not add more than one position per calendar year to the positions excepted from such provisions and any such changes shall be subject to the approval of the police jury by two thirds vote.

~~B:~~ C. The appointment and dismissal of parish employees subject to this Part shall be made by the police jury, or its designee, and shall be subject to the provisions of this Part."

On motion of Rep. Farrar, the amendments were adopted.

Rep. Farrar moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Green	Pitre
Ansardi	Guillory	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baylor	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hunter	Schwegmann
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Fruge	Perkins	
Futrell	Peychaud	
Total—97		

NAYS

Total—0

ABSENT

Baudoin	Carter, K	Morrell
Beard	Hudson	Shaw
Bruce	Kennard	
Total—8		

The Chair declared the above bill was finally passed.

Page 52 HOUSE

45th Day's Proceedings - June 19, 2003

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 358—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2116(G), relative to intermediate care facilities for the mentally retarded; to provide with respect to the facility need review provisions for facilities of a particular number of beds; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Farrar, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Beard	Kennard	Wooton
Hudson	Morrell	

Total—5

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1010—

BY SENATOR CHAISSON

AN ACT

To repeal R.S. 17:63, relative to restrictions on certain city, parish, or other local school board members; to repeal all prohibitions on members of any city, parish, or other local school board from qualifying or running for another public office without their school board seat being vacated; and to provide for related matters.

Read by title.

Rep. Gary Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	
Total—97		

NAYS

Total—0

ABSENT

Beard	Hudson	Stelly
Curtis	Kennard	Walsworth
Gallot	Morrell	

Total—8

The Chair declared the above bill was finally passed.

Rep. Gary Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1094—

BY SENATOR THOMAS

AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to ethics; to permit an electrician who is the immediate family member of a school board member to be employed in the parish of that member; to provide that the exception shall only apply in parishes with a certain student enrollment population; to provide that the immediate family member of the school board member shall be an experienced electrician; to provide that a school board member shall recuse himself from voting on matters which involve promotion or assignments of such immediate family member; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Green	Quezaire
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Smith, G.—56th
Bruneau	Hunter	Smith, J.D.—50th
Capella	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, L	Sneed
Crane	Jackson, M	Stelly
Crowe	Johns	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Fauchoux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	

Total—97

NAYS

Total—0

ABSENT

Carter, K
Curtis
Hudson
Total—8

Katz
Kennard
Morrell

Pierre
Shaw

The Chair declared the above bill was finally passed.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Rep. Futrell moved to call from the table the motion to reconsider the vote by which Senate Bill No. 687 finally passed.

Rep. Murray objected.

By a vote of 67 yeas and 28 nays, the motion to reconsider the vote by which Senate Bill No. 687 finally passed was called from the table.

Motion to reconsider pending.

SENATE BILL NO. 1101—

BY SENATOR HOLDEN AND REPRESENTATIVE WESTON-BROOME

AN ACT

To enact Part IV of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1091 through 1093, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for membership of the board; to authorize the issuance of bonds; to require voter approval prior to the imposition of any tax or issuance of any bonded indebtedness; and to provide for related matters.

Read by title.

Rep. Robert Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robert Carter to Reengrossed Senate Bill No. 1101 by Senator Holden and Representative Broome

AMENDMENT NO. 1

On page 2, at the end of line 11, insert the following:

"(3) However, the district shall not include any parish with a population of less than fifteen thousand persons based on the latest federal decennial census."

Rep. Robert Carter moved the adoption of the amendments.

Rep. Broome objected.

By a vote of 79 yeas and 21 nays, the amendments were adopted.

Rep. McVea sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McVea to Reengrossed Senate Bill No. 1101 by Senator Holden and Representative Broome

AMENDMENT NO. 1

Page 54 HOUSE

45th Day's Proceedings - June 19, 2003

Delete House Floor Amendment No. 1 proposed by Representative Robert Carter and adopted by the House on June 19, 2003.

AMENDMENT NO. 2

On page 2, at the end of line 11, insert the following:

"However, the district shall not include any parish with a population of less than fifteen thousand persons or any parish with a population of not more than twenty-one thousand five hundred and not less than seventeen thousand five hundred persons based on the latest federal decennial census."

Rep. McVea moved the adoption of the amendments.

Rep. Broome objected.

By a vote of 70 yeas and 25 nays, the amendments were adopted.

Rep. Broome moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Peychaud
Alexander	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Broome	Hopkins	Salter
Carter, K	Hudson	Schwegmann
Carter, R	Hunter	Shaw
Cazayoux	Hutter	Smith, G.—56th
Crane	Iles	Smith, J.D.—50th
Crowe	Jackson, L	Smith, J.H.—8th
Curtis	Jackson, M	Smith, J.R.—30th
Damico	Johns	Stelly
Daniel	Katz	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinot	
Total—95		

NAYS

Bowler	Lancaster	Schneider
Bruneau	Scalise	Sneed
Total—6		

ABSENT

Bruce	Erdey
Capella	Kennard

Total—4

The Chair declared the above bill was finally passed.

Rep. Broome moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 61—

BY SENATOR C. JONES

AN ACT

To enact Part III-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2326 through 2330, relative to economic development activities; to provide for the creation of the Monroe and Northeast Louisiana Technology and Business Incubation Center; to provide definitions; to provide for qualifications; to provide for grants; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hunter, the bill was returned to the calendar.

SENATE BILL NO. 437—

BY SENATORS CAIN AND CRAVINS

AN ACT

To amend and reenact R.S. 4:144(A); to provide for the membership of the State Racing Commission; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pinac sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 437 by Senators Cain and Cravins

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Commerce and adopted by the House on June 12, 2003.

AMENDMENT NO. 2

On page 2, line 1, after "and" delete the remainder of the line, delete line 2, and insert "two persons at large,"

AMENDMENT NO. 3

On page 2, line 3, after "governor." and before "Each" insert the following:

"One member of the commission shall be a member of a minority as defined by R.S. 39:1952(14) and one member of the commission shall be a female."

On motion of Rep. Pinac, the amendments were adopted.

Rep. Hudson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hudson and Pierre to Reengrossed Senate Bill No. 437 by Senator Cain

AMENDMENT NO. 1

On page 2, line 3, after "governor." and before "Each" insert the following:

"Notwithstanding anything herein to the contrary, it shall be strictly prohibited for any family member of a legislator to be appointed to the commission."

On motion of Rep. Hudson, the amendments were adopted.

Rep. Morrell moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Arnold	Green	Odinot
Baldone	Guillory	Perkins
Baudoin	Hammett	Peychaud
Baylor	Heaton	Pierre
Beard	Hill	Pinac
Broome	Honey	Quezaire
Bruce	Hopkins	Richmond
Carter, K	Hudson	Salter
Carter, R	Hunter	Schwegmann
Cazayoux	Hutter	Smith, G.—56th
Crowe	Iles	Smith, J.D.—50th
Curtis	Jackson, M	Smith, J.R.—30th
Damico	Johns	Stelly
Daniel	LaFleur	Swilling
Doerge	Landrieu	Thompson
Downs	Lucas	Townsend
Farrar	Martiny	Triche
Fauchoux	Montgomery	Waddell
Flavin	Morrell	Walker
Gallot	Murray	Welch
Glover	Nevers	Winston
Total—63		

NAYS

Mr. Speaker	Durand	Romero
Alario	Fannin	Scalise
Alexander	Frith	Shaw
Ansardi	Futrell	Sneed
Bowler	Hebert	Strain
Bruneau	Kenney	Toomy
Capella	Lancaster	Tucker
Crane	LeBlanc	Walsworth
Dartez	Morrish	Wooton
Devillier	Pitre	Wright
Diez	Powell	
Total—32		

ABSENT

Downer	Katz	Schneider
Erdey	Kennard	Smith, J.H.—8th
Fruge	McDonald	
Jackson, L	McVea	
Total—10		

The Chair declared the above bill was finally passed.

Rep. Morrell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 963—

BY SENATORS CRAVINS, MICHOT, IRONS AND HOLDEN AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

AN ACT

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Thompson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Thompson, Hammett, Hunter, and Landrieu to Re-reengrossed Senate Bill No. 963 by Senator Cravins

AMENDMENT NO. 1

In House Committee Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 9, 2003, on line 44, delete "Savings" and insert in lieu thereof "The executive budget submitted annually by the governor shall provide that savings"

On motion of Rep. Thompson, the amendments were adopted.

Rep. LeBlanc sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Re-reengrossed Senate Bill No. 963 by Senator Cravins

AMENDMENT NO. 1

On page 3, line 9, change "2003" to "2005"

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. Landrieu moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Shaw

Page 56 HOUSE

45th Day's Proceedings - June 19, 2003

Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Doerge	Kennard	Smith, J.H.—8th
Downer	McVea	Walsworth
Honey	Schwegmann	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Landrieu moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 801—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 801 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 4, after "employment;" and before "and" insert "to provide for definitions;"

AMENDMENT NO. 2

On page 1, at the end of line 11, delete "the"

AMENDMENT NO. 3

On page 1, delete line 12 in its entirety and insert "conviction records of an applicant seeking"

AMENDMENT NO. 4

On page 1, line 13, after employment insert a comma "," and before "from" insert "directly"

AMENDMENT NO. 5

On page 1, line 15, after "sought" insert a comma ","

AMENDMENT NO. 6

On page 2, line 1, after "such" delete the remainder of the line and insert "conviction records."

AMENDMENT NO. 7

On page 2, line 2, delete "signed"

AMENDMENT NO. 8

On page 2, at the end of line 2, insert "prepared by the bureau and"

AMENDMENT NO. 9

On page 2, line 3, after "provide" delete the remainder of the line and delete line 4 in its entirety and insert "any conviction records of the applicant to the"

AMENDMENT NO. 10

On page 2, line 5, after "manner." and before "The" insert "For the purposes of this Subsection "conviction records" shall include only those records which are electronically maintained by the bureau, and are records of a finding of guilty, a plea of guilty or nolo contendere, including those which have been set aside or dismissed pursuant to Code of Criminal Procedure Articles 893 or 894, or for which an individual has received an automatic first offender pardon. It shall not include those records which have been ordered expunged pursuant to R.S. 44:9."

AMENDMENT NO. 11

On page 2, line 7, after "Subsection." insert "The bureau shall not be liable civilly or criminally for the release of information released pursuant to the provisions of this Subsection."

On motion of Rep. Martiny, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider

Broome	Hudson	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Doerge	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Erdey	Morrish	Welch
Fannin	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Frith	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Downer	Hill	Quezaire
Farrar	Hunter	
Green	Kennard	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 86—
BY SENATOR HINES

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.201, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Walker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Frugé	Pierre

Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Carter, K	Hunter	Smith, J.D.—50th
Carter, R	Hutter	Smith, J.H.—8th
Cazayoux	Iles	Smith, J.R.—30th
Crane	Jackson, L	Sneed
Crowe	Jackson, M	Stelly
Curtis	Johns	Strain
Damico	Katz	Swilling
Daniel	Kenney	Thompson
Dartez	Lancaster	Toomy
Devilleir	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Flavin	Nevers	
Total—97		

NAYS

Total—0

ABSENT

Capella	LaFleur	Quezaire
Green	Perkins	Welch
Kennard	Peychaud	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Walker moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 89—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 177—
BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to public funds; to authorize public funds to be loaned or pledged by a state infrastructure bank to fund eligible

Page 58 HOUSE

45th Day's Proceedings - June 19, 2003

infrastructure projects; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Crane	Kennard	Tucker
Doerge	McVea	Walsworth
Green	Quezaire	
Total—8		

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 213—

BY SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Coastal Restoration Fund in the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Welch
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Farrar	Kennard	Walsworth
Green	McVea	
Hill	Quezaire	
Total—8		

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 257—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), and to enact R.S. 40:1299.41(A)(21), relative to the Medical Malpractice Act; to include extracorporeal therapist in the definition of a "health care provider"; to provide for the definition of "extracorporeal therapist"; and to provide for related matters.

Read by title.

Rep. Walker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, L	Sneed
Crane	Jackson, M	Stelly
Crowe	Johns	Strain
Curtis	Katz	Swilling
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	Montgomery	Walsworth
Durand	Morrell	Winston
Erdey	Morrish	Wooton
Fannin	Murray	Wright
Farrar	Nevers	
Flavin	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Faucheux	Lancaster	Quezaire
Green	McVea	Welch
Kennard	Peychaud	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Walker moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 326—
BY SENATOR BAJOE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Odinet
Alexander	Fruge	Perkins
Ansardi	Futrell	Peychaud
Arnold	Gallot	Pierre
Baldone	Glover	Pinac
Baudoin	Green	Pitre
Baylor	Guillory	Powell
Beard	Hammett	Quezaire
Bowler	Heaton	Romero
Broome	Hebert	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Doerge	Martiny	Townsend
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Welch
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Faucheux	Murray	Wright
Total—96		

NAYS

Total—0

ABSENT

Farrar	Johns	Triche
Hill	Kennard	Tucker
Jackson, L	Richmond	Walsworth
Total—9		

The Chair declared the above bill was finally passed.

Page 60 HOUSE

45th Day's Proceedings - June 19, 2003

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 357—

BY SENATORS MCPHERSON, BAJOEIE AND SCHEDLER

AN ACT

To enact R.S. 40:16.1, relative to the procedure for the sale or lease of state-owned facilities; to provide for the dedication of the proceeds of the sale of mental health facilities; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 422—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state of Louisiana and any state or local entity from utilizing the "design-build" concept unless authorized by law; to prohibit the state of Louisiana and any state or a local entity from entering into any agreement to purchase unimproved property which requires the successful design and construction of a structure prior to transfer of title unless authorized by law; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 476—

BY SENATOR BAJOEIE

AN ACT

To enact R.S. 14:67.22, relative to theft; to create the crime of theft of a used building component; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Peychaud sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peychaud to Reengrossed Senate Bill No. 476 by Senator Bajoie

AMENDMENT NO. 1

On page 1, at the end of line 15, delete "manufactured"

AMENDMENT NO. 2

On page 2, line 1, delete "object or"

AMENDMENT NO. 3

On page 2, line 1, after "workmanship" insert "or tools"

AMENDMENT NO. 4

On page 2, line 2, delete "or part of the" and insert "of"

AMENDMENT NO. 5

On page 2, line 4, insert a comma "," after "interest" and delete "of any immovable property,"

AMENDMENT NO. 6

On page 2, line 6, insert a comma "," after "structure" and delete "located on any immovable property,"

AMENDMENT NO. 7

On page 2, delete line 8 in its entirety and insert "fixture, including but not"

AMENDMENT NO. 8

On page 2, line 9, change "down spouts" to "downspouts"

AMENDMENT NO. 9

On page 2, line 18, after "plantings" delete the comma "," and delete the remainder of the line and on line 19, delete "marble of any size,"

AMENDMENT NO. 10

On page 2, line 19, delete "other" and at the end of the line delete "any"

AMENDMENT NO. 11

On page 2, line 22, delete the comma "," after "component" and delete the remainder of the line and delete lines 23 through 25 and insert the following:

"when the misappropriation or taking amounts to a value or replacement value, whichever is greater, of less than three hundred dollars, the offender shall be imprisoned for not more than one year, or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft of a used building component two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both."

AMENDMENT NO. 12

On page 2, line 26, change "theft" to "misappropriation"

AMENDMENT NO. 13

On page 3, line 2, after "than" insert "a value of"

AMENDMENT NO. 14

On page 3, line 3, change "two" to "five"

AMENDMENT NO. 15

On page 3, line 4, change "two" to "three"

AMENDMENT NO. 16

On page 3, delete lines 5 through 18 in their entirety and insert the following:

"(3) When the misappropriation or taking amounts to a value or replacement value, whichever is greater, of five hundred dollars or more, the offender shall be imprisoned, with or without hard labor, for not more than twelve years, or may be fined not more than five thousand dollars, or both."

On motion of Rep. Peychaud, the amendments were adopted.

Rep. Peychaud moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinet
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Bruce	Honey	Salter
Bruneau	Hopkins	Scalise
Capella	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Crane	Iles	Smith, G.—56th
Crowe	Jackson, L	Smith, J.D.—50th
Curtis	Jackson, M	Smith, J.H.—8th
Damico	Johns	Smith, J.R.—30th
Daniel	Katz	Sneed
Dartez	Kenney	Stelly
Devillier	LaFleur	Strain
Diez	Lancaster	Swilling
Doerge	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	
Total—98		

NAYS

Cazayoux	Tucker
Perkins	Wright
Total—4	

ABSENT

Broome	Kennard	Walsworth
Total—3		

The Chair declared the above bill was finally passed.

Rep. Peychaud moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 504— BY SENATOR DARDENNE

AN ACT

To enact Part II-A of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.51, relative to funds for coastal restoration; to create the Louisiana Coastal Restoration Fund; to provide for sources of funding and for authorized uses; and to provide for related matters.

Read by title.

Motion

On motion of Rep. LeBlanc, the bill was returned to the calendar.

SENATE BILL NO. 556—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:18.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hill, the bill was returned to the calendar.

SENATE BILL NO. 594—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 30:2154(B)(1)(a) and the introductory paragraph of (b) and to enact R.S. 30:2154(B)(9), relative to environmental quality; to provide for the disposal of sewage or treated waste water; to provide for a definition; to provide for limitations; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hill, the bill was returned to the calendar.

SENATE BILL NO. 673—

BY SENATOR ULLO

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by the second Section 2 of Act No. 599 of the 1999 Regular Session, and as amended by Section 2 of Act No. 705 of the 2001 Regular Session, and to amend and reenact R.S. 56:700.2(A)(4), all relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond

Page 62 HOUSE

45th Day's Proceedings - June 19, 2003

Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Cazayoux
Crane
Crowe
Curtis
Damico
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Fruge
Total—102

Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Carter, R
Total—3

Daniel

Kennard

The Chair declared the above bill was finally passed.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 683—

BY SENATORS ULLO AND HAINKEL
AN ACT

To repeal R.S. 33:1559, relative to extra compensation for coroners; to repeal provisions for extra compensation for coroners payable by the state and parish governing authorities; to provide for effective dates; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Green, the bill was returned to the calendar.

SENATE BILL NO. 727—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hill, the bill was returned to the calendar.

SENATE BILL NO. 792—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 30:2030(B) and enact R.S. 30:2030(A)(1)(c) and (d), relative to the Department of Environmental Quality; to authorize the classification of security sensitive information and personal identification information as confidential; and to provide for related matters.

Read by title.

Rep. Bruneau sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Reengrossed Senate Bill No. 792 by Senator Barham

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1, 2, 3, 4, 7, and 8 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 18, 2003

AMENDMENT NO. 2

On page 2, line 10, after "area" delete the remainder of the line and insert a period "." and the following:

"Security sensitive information shall only include the following:

(i) Plans to prevent or respond to terrorist activity.

(ii) Engineering and architectural drawings and operational, procedural, or tactical planning and training manuals and other records the disclosure of which would reveal surveillance techniques, personnel deployments, alarm or security systems or technologies, operations and transportation plans or protocols, locations of particular materials or critical facility areas, or discharge or emission points.

(iii) Security documents.

(iv) Loading and unloading locations and schedules.

(v) Shift rotation schedules.

(vi) Inspection schedules.

(vii) Personnel training records and certifications."

On motion of Rep. Bruneau, the amendments were adopted.

Rep. Walsworth moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor

Fruge
Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond

Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	

Total—104

NAYS

Total—0

ABSENT

Kennard

Total—1

The Chair declared the above bill was finally passed.

Rep. Walsworth moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 900—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:2218.4(B), relative to extra compensation paid by the state to police and deputy sheriffs; to grant authority to certain local officials to sign warrants to disburse such funds; and to provide for related matters.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 900 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, change "(B)" to "(A) and (B) and to enact R.S. 33:2218.4(E)"

AMENDMENT NO. 2

On page 1, line 7, change "(B)" to "(A) and (B)" and between "reenacted" and "to" insert "and R.S. 33:2218.4(E) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 10 through 15, and insert the following:

"A. The funds appropriated and dedicated as herein provided shall be disbursed upon warrants drawn by the mayors of the respective municipalities coming under the provisions of this ~~Sub-part~~ Subpart, which warrants shall have attached to them a detailed list of the names of the officers for whose benefit any particular warrant is drawn, together with the completed years of service of such officers and such other information as the ~~Director~~ secretary of the ~~State~~ Department of Public Safety and Corrections may require."

B. The mayors of the respective municipalities shall forward the warrants to the ~~Director~~ secretary of the ~~State~~ Department of Public"

AMENDMENT NO. 4

On page 2, lines 2 and 8, change "director" to "secretary"

AMENDMENT NO. 5

On page 2, lines 5 and 8, change "Sub-part" to "Subpart"

AMENDMENT NO. 6

On page 2, after line 12, add the following:

"R.S. 33:2218.4(E) is all new law."

E.(1) As used in this Section, references to "municipality" and "municipal" shall include political subdivisions whose employees are peace officer standards and training (POST) certified and who are entitled to extra compensation from the state.

(2) As used in this Section, reference to "mayor" includes his designee and also includes the executive director of a political subdivision whose employees are peace officer standards and training (POST) certified and who are entitled to extra compensation from the state."

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling

Page 64 HOUSE

45th Day's Proceedings - June 19, 2003

Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinot	
Total—100		
	NAYS	
Total—0		
	ABSENT	
Carter, R	Kennard	Smith, J.D.—50th
Hebert	Richmond	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 908— BY SENATOR HAINKEL

AN ACT

To enact Chapter 9 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:760 through 772, relative to emergency health powers; to provide for a plan dealing with a health emergency; to provide who can declare such an emergency, for what length of time and who can end such an emergency; to provide for isolation and quarantine of infected citizens; to provide for an organizational and operational structure that is compatible with the Louisiana Emergency Assistance and Disaster Act of 1993; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 908 by Senator Hainkel

AMENDMENT NO. 1

On page 12, line 7 after "information" delete the remainder of the line and insert in lieu thereof "in compliance with Patient Privacy Protections contained in the Health Insurance Portability and Accountability Act of 1996:"

On motion of Rep. Walsworth, the amendments were adopted.

Rep. Bruneau moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinot	
Total—103		

NAYS

Perkins
Total—1

ABSENT

Kennard
Total—1

The Chair declared the above bill was finally passed.

Rep. Bruneau moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 931— BY SENATOR ELLINGTON

AN ACT

To amend and reenact Children's Code Art. 1263, relative to the action to annul a final decree of adoption; to provide for the preemptive period in all cases; and to provide for related matters.

Read by title.

Rep. Green sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Reengrossed Senate Bill No. 931 by Senator Ellington

AMENDMENT NO. 1

On page 1, at the beginning of line 9, insert "A."

AMENDMENT NO. 2

On page 1, line 10, after "perpetrated by" delete the remainder of the line and insert "anyone other than the adoptive parent"

AMENDMENT NO. 3

On page 1, between lines 14 and 15, insert the following:

"B. An action to annul a final decree of adoption based upon a claim of fraud or duress perpetrated by an adoptive parent must be brought within six months from discovery of the fraud or duress and in no event later than two years from the date of the signing of the final decree or mailing of the judgment when required."

On motion of Rep. Green, the amendments were adopted.

Rep. Johns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Frige	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Beard
Curtis
Total—4

Kennard
Walsworth

The Chair declared the above bill was finally passed.

Rep. Green moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 942—
BY SENATOR THOMAS**AN ACT**

To authorize the secretary for the Department of Health and Hospitals and the commissioner of administration, for and on behalf of the state, to enter into an agreement with respect to the exchange of certain properties in Washington Parish; to authorize and provide for the transfer or lease of certain state property in a parish with a population between eighteen thousand five hundred and nineteen thousand according to the latest federal decennial census from the Department of Health and Hospitals to a fire protection district within such parish, through the governing authority of the district; to authorize the Secretary of the Department of Social Services and the commissioner of administration to enter into a cooperative agreement with the parish governing authority of Tangipahoa Parish for the purpose of utilization of certain real property for the operation of a 911 system; and to provide for related matters.

Read by title.

Rep. Robert Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robert Carter to Reengrossed Senate Bill No. 942 by Senator Thomas

AMENDMENT NO. 1

On page 6, line 19, before the period "." insert "or for other governmental purposes"

On motion of Rep. Robert Carter, the amendments were adopted.

Rep. Strain moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th

Page 66 HOUSE

45th Day's Proceedings - June 19, 2003

Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Fauchoux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright

Total—102

NAYS

Total—0

ABSENT

Beard	Capella	Kennard
-------	---------	---------

Total—3

The Chair declared the above bill was finally passed.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1032— BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to provide for exceptions for members of public bodies to engage in certain transactions with such public body; to permit public officials of certain governing authorities and their immediate families and legal entities to make application for the subdivision, resubdivision or zoning of property, or building permits and inspections; to provide for exceptions to be based on population; to require written notice to the Board of Ethics and recusal from voting; and to provide for related matters.

Read by title.

Rep. Bruneau sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Bruneau, Murray, Lancaster, and Futrell to Reengrossed Senate Bill No. 1032 by Senator Marionneaux

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 18, 2003, on line 26, after "property" and before "and for" insert "for personal use"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 18, 2003, on line 27, after "permit" and before "and" insert "for the personal residence of such a person"

Rep. Bruneau moved the adoption of the amendments.

Rep. Cazayoux objected.

By a vote of 78 yeas and 23 nays, the amendments were adopted.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 1032 by Senator Marionneaux

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on June 18, 2003, on line 4, after "R.S. 42:1113(A)" delete the comma "," and insert "and to enact R.S. 42:1118.2,"

AMENDMENT NO. 2

On page 1, line 9, after "voting;" insert the following:

"to prohibit the governor, governor-elect, and candidates in the general election for governor from taking any action to support the nomination, election, or appointment of legislative officers; to provide for enforcement and penalties;"

AMENDMENT NO. 3

In House Committee Amendment No. 2 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on June 18, 2003, line 12, after "reenacted" insert "and R.S. 42:1118.2 is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 16, insert the following:

"§1118.2. Influencing selection of legislative officers

A. The separation of powers is a basic tenet of the Louisiana Constitution. The history of the Louisiana Legislature demonstrates the strong influence the governor has exercised in the selection of legislative officers and legislative committee officers, often even before he takes office. The legislature recognizes that the separation of powers is a firm policy of this state and finds that it is in the best interests of the people of Louisiana that the separation of powers be maintained, that the overriding influence of the governor in the leadership of the legislature be ended, and that this can be done only if the governor does not seek to influence the selection of such officers.

B. This Section shall be applicable to the governor, the governor-elect, and any candidate in the general election for governor.

C. No person to whom this Section is applicable as provided in Subsection B of this Section shall take any action to support the nomination, election, or appointment of any person to any of the following offices:

(1) Speaker of the House of Representatives.

(2) President of the Senate.

(3) Speaker pro tempore of the House of Representatives.

(4) President pro tempore of the Senate.

(5) Chairman or vice chairman of any legislative committee created by legislative rule, by resolution of the legislature, or by statute."

Point of Order

Rep. LaFleur asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Hebert, the amendments were withdrawn.

Rep. Cazayoux moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Fannin	McVea
Ansardi	Faucheux	Morrell
Arnold	Frith	Murray
Broome	Glover	Nevers
Bruce	Green	Odinot
Carter, K	Hammett	Peychaud
Carter, R	Hebert	Pitre
Cazayoux	Hill	Powell
Curtis	Hudson	Schwegmann
Damico	Hutter	Smith, J.R.—30th
Dartez	Iles	Strain
Diez	Jackson, L	Toomy
Downs	LaFleur	Winston
Durand	Landrieu	Wooton
Erdey	Martiny	
Total—44		

NAYS

Mr. Speaker	Hopkins	Schneider
Alexander	Johns	Shaw
Baldone	Katz	Smith, G.—56th
Baudoin	Kenney	Smith, J.H.—8th
Beard	Lancaster	Sneed
Bowler	LeBlanc	Stelly
Bruneau	McDonald	Thompson
Capella	Montgomery	Townsend
Crane	Morrish	Triche
Crowe	Perkins	Tucker
Daniel	Pierre	Waddell
Downer	Pinac	Walker
Flavin	Quezaire	Walsworth
Frige	Richmond	Welch
Futrell	Romero	Wright
Gallot	Salter	
Guillory	Scalise	
Total—49		

ABSENT

Baylor	Heaton	Kennard
Devillier	Honey	Lucas
Doerge	Hunter	Smith, J.D.—50th
Farrar	Jackson, M	Swilling
Total—12		

The Chair declared the above bill failed to pass.

Rep. Bruneau moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1064—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 13:2488.62(E), relative to the City Court of Plaquemine; to authorize the court to assess a fee to be used for substance abuse treatment; and to provide for related matters.

Read by title.

Rep. Cazayoux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Devillier and Cazayoux to Reengrossed Senate Bill No. 1064 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, after "To" and before "enact" insert "amend and reenact R.S. 13:2488.62(A)(C)(2) and to"

AMENDMENT NO. 2

After "Section 1." and before "R.S." insert "R.S. 13:2488.62(A)(C)(2) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"§2488.62 Compensation of judge, marshal, clerk and deputy clerk; collection and disposition of fines, forfeitures, and costs

* * *

C.

* * *

(2) The salary of the public defender ~~shall~~ may be fixed by the judge of the court and ~~shall~~ may be paid out of the court costs assessed for the public defender, except that the public defender shall receive a minimum salary of five hundred dollars per month. Such court costs shall not exceed ~~seventeen dollars and fifty cents~~ thirty dollars for each ~~violation~~ misdeemeanor violation.

* * *

On motion of Rep. Cazayoux, the amendments were adopted.

Rep. Faucheux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Reengrossed Senate Bill No. 1064 by Senator Marionneaux

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 5 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 19, 2003.

AMENDMENT NO. 2

Page 68 HOUSE

45th Day's Proceedings - June 19, 2003

On page 1, line 2, after "enact" delete the remainder of the line in its entirety and insert in lieu thereof "R.S. 13:587.3, 1000.6, and 2488.62(E), relative to courts; to authorize the judges in the Nineteenth Judicial District by court rule to assign matters to be heard by specified divisions; to authorize the assessment of an additional fee for convictions in the drug division of the Nineteenth Judicial District Court; to provide that the additional fee shall be used for the cost of treatment programs; to provide for auditing of the fees; and to authorize the City Court of Plaquemine"

AMENDMENT NO. 3

On page 1, at the beginning of line 3, delete "authorize the court"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 13:2488.62(E)" and insert in lieu thereof "R.S. 13:587.3, 1000.6, and 2488.62(E) are"

AMENDMENT NO. 5

In House Committee Amendment No. 6 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 19, 2003, on page 1, between lines 21 and 22 insert the following:

"§587.3. Nineteenth Judicial District; divisions; subject matter

A. Respecting seniority and the requirement that all cases be assigned randomly within multi-judge groupings, the judges of the Nineteenth Judicial District Court, by rule adopted by a majority vote of the judges sitting en banc, with the consent of the judge of a division, may assign to that division criminal matters or civil matters or drug court matters or any or all types of matters of which the court has jurisdiction.

B. Notwithstanding any principal assignments to divisions, all divisions of the court shall retain general jurisdiction to hear all matters.

* * *

On motion of Rep. Faucheux, the amendments were adopted.

Rep. Cazayoux moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th

Crowe	Johns	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Curtis	Katz	Schneider
Doerge	Kennard	Walsworth
Total—6		

The Chair declared the above bill was finally passed.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1080—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to prohibit incentives for tires processed outside of Louisiana; and to provide for related matters.

Read by title.

Rep. Damico sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Reengrossed Senate Bill No. 1080 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "(7)" delete the comma "," and insert "and to enact R.S. 36:104(B)(8),"

AMENDMENT NO. 2

On page 1, line 4, after "Louisiana;" insert "to provide for agreements between the Departments of Environmental Quality and Economic Development;"

AMENDMENT NO. 3

On page 3, at the end of line 6, insert the following:

"The department shall make recommendations to the House Committee on the Environment and Senate Committee on Environmental Quality for tax credits to encourage the development and implementation of technologies utilizing used and recycled tire rubber."

AMENDMENT NO. 4

On page 3, after line 14, insert the following:

"Section 2. R.S. 36:104(B)(8) is hereby enacted to read as follows:

§104. Powers and duties of the secretary of economic development

* * *

B. The secretary shall have the authority to:

* * *

R.S. 36:104(B)(8) is all proposed new law.

(8) Enter into interagency or cooperative agreements with the Department of Environmental Quality to explore and develop markets and technologies for used or recycled tire rubber that will assist and enable the development of Louisiana businesses."

On motion of Rep. Damico, the amendments were adopted.

Rep. Kenney moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinot	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Kennard	Walsworth
Jackson, L	Walker	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Kenney moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1117—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 30:2000.3(B), the introductory paragraph of R.S. 30:2000.4(A), the introductory paragraph of R. S. 30:2000.4(B), R.S. 30:2000.5(B)(1) and (2), and 2000.7(B) and to enact R.S. 30:2000.2(7), relative to the Atchafalaya Basin Program; to provide for the powers, duties, and functions of the secretary of the Department of Natural Resources; to provide for retroactive application; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—

BY SENATORS HINES, FIELDS, BAJOE, HOLDEN, B. JONES, MOUNT, SCHEDLER, CAIN, HOLLIS, JOHNSON, THOMAS, ULLO, BOISSIERE, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, IRONS, LAMBERT, LENTINI, MARIONNEAUX, MCPHERSON, SMITH AND THEUNISSEN

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Senior Rx Program; to provide definitions; to create the Louisiana Senior Rx Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Read by title.

Rep. Futrell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th

Page 70 HOUSE

45th Day's Proceedings - June 19, 2003

Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—99

NAYS

Total—0

ABSENT

Cazayoux	Kennard	Perkins
Doerge	LaFleur	Walsworth

Total—6

The Chair declared the above bill was finally passed.

Rep. Futrell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 594—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 30:2154(B)(1)(a) and the introductory paragraph of (b) and to enact R.S. 30:2154(B)(9), relative to environmental quality; to provide for the disposal of sewage or treated waste water; to provide for a definition; to provide for limitations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 594 by Senator McPherson

AMENDMENT NO. 1

Delete Amendment No. 6 proposed by the House Committee on Environment and adopted by the House on June 11, 2003

Motion

Rep. Pinac moved the bill be indefinitely postponed.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Pierre
Alexander	Green	Pinac

Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Hill	Romero
Bruce	Honey	Salter
Bruneau	Hopkins	Scalise
Capella	Hudson	Schneider
Carter, R	Hunter	Schwegmann
Crane	Hutter	Shaw
Crowe	Iles	Smith, G.—56th
Curtis	Johns	Smith, J.D.—50th
Damico	Katz	Smith, J.H.—8th
Daniel	Kenney	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Devillier	Landrieu	Stelly
Diez	LeBlanc	Strain
Downer	Lucas	Swilling
Downs	Martiny	Thompson
Durand	McDonald	Triche
Erdey	McVea	Tucker
Fannin	Morrell	Waddell
Farrar	Morrish	Walker
Flavin	Murray	Walsworth
Frith	Nevers	Welch
Fruge	Odinet	Winston
Futrell	Perkins	Wooton
Gallot	Peychaud	Wright

Total—90

NAYS

Mr. Speaker	Montgomery	Townsend
Faucheux	Toomy	

Total—5

ABSENT

Baudoin	Cazayoux	Kennard
Beard	Doerge	LaFleur
Broome	Jackson, L	
Carter, K	Jackson, M	

Total—10

The bill was indefinitely postponed.

SENATE BILL NO. 1119—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Sections 2 and 3 and to enact Section 1(C), Section 1.1, Section 2.1, and Section 9 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to abolish the current board of commissioners for St. Tammany Parish Hospital Service District No. 2 and to provide for the appointment of a new board; to provide for a nominating committee to nominate candidates to the appointing authorities; to provide for the qualifications for members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 2; to provide for terms of office for the nominating committee and the board of commissioners; to provide for authority to levy a sales and use tax; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Crowe sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Reengrossed Senate Bill No. 1119 by Senator Schedler

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 2 and 7 proposed by the House Committee on Municipal, Parochial, and Cultural Affairs and adopted by the House of Representatives on June 2, 2003

AMENDMENT NO. 2

On page 1, line 3, after "Section 2.1," delete "and Section 9" and insert "Section 3(9)(c) and (d), and Section 8.1, and to repeal Section 2(B) and Section 3(14)"

AMENDMENT NO. 3

On page 2, at the beginning of line 9, after "2.1" insert a comma "," and insert "Section 3(9)(c) and (d), and Section 8.1 of said Act No. 180 of the 1984 Regular Session of the Legislature, as so amended,"

AMENDMENT NO. 4

On page 4, line 1, after "8," delete "and" and insert "or"

AMENDMENT NO. 5

On page 6, line 17, after "the" delete "city government" and insert "governing authority of the town"

AMENDMENT NO. 6

On page 6, line 21, after "commission" delete "should" and insert "shall"

AMENDMENT NO. 7

On page 7, between lines 14 and 15 insert the following:

"(3) Medical staff appointees shall be registered to vote in and residents and domiciliaries of St. Tammany Parish."

AMENDMENT NO. 8

On page 7, line 21 delete "thirty" and insert "fifty"

AMENDMENT NO. 9

On page 15, line 1, delete "considering" and insert "taking into consideration"

AMENDMENT NO. 10

On page 15, line 5 delete "authorities" and insert "authority"

AMENDMENT NO. 11

On page 15, line 26 delete "continuing"

AMENDMENT NO. 12

On page 16, delete lines 16 through 26 and insert the following:

"(14)(a) With respect to St. Tammany Parish Hospital Service District No. 1 to employ legal counsel at a rate of compensation as it may determine to advise in all matters pertaining to the business of the district and to perform such other functions with respect to the legal affairs of the district as the commission may direct.

(b) With respect to St. Tammany Parish Hospital Service District No. 2, to contract, only until December 31, 2004, with the district attorney, ~~pursuant to R.S. 16:2(A)~~; to act as legal counsel for the district to advise on all legal matters pertaining to the business of the district and to perform such other functions with respect to the legal affairs of the district as the commission may direct. After December 31, 2004, St. Tammany Parish Hospital Service District No. 2 may employ legal counsel as determined by the board of commissioners. However, at any time after the effective date of the Act which originated as Senate Bill No. 1119 of the 2003 Regular Session of the Legislature, the board of commissioners of the St. Tammany Parish Hospital Service District No. 2 may, without consultation with the district attorney, consult outside counsel with approval by a simple majority vote of the board. Outside counsel may be employed to represent"

AMENDMENT NO. 13

On page 17, between lines 21 and 22 insert the following:

"Section 8.1. Sale of ownership or control of hospital

Section 8.1 is all proposed new law.

Notwithstanding any other law to the contrary, the board of commissioners of St. Tammany Parish Hospital Service District No. 2 may sell to any person an ownership interest in the district hospital that results in the acquiring person holding a less than fifty percent interest in the ownership or control of the hospital. The provisions of R.S. 33:4341 shall not apply to any sale pursuant to the authority granted in this Section."

On motion of Rep. Crowe, the amendments were adopted.

Rep. Crowe moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Tucker
Fannin	McVea	Waddell

Page 72 HOUSE

45th Day's Proceedings - June 19, 2003

Farrar	Montgomery	Walker
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinot	Wright

Total—99

NAYS

Total—0

ABSENT

Mr. Speaker	Doerge	Morrell
Carter, K	Kennard	Walsworth

Total—6

The Chair declared the above bill was finally passed.

Rep. Crowe moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

Acting Speaker Walker in the Chair

HOUSE BILL NO. 1002— BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3578.4(C) and 3578.6(A)(1), relative to consumer credit; to provide relative to deferred presentment transactions and small loans; to provide for an exception for attorney fees and costs; to provide for prohibited acts; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hollis and Michot to Engrossed House Bill No. 1002 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "(A)(1)," insert "and to enact R.S. 9:3578.6(A)(8)"

AMENDMENT NO. 2

On page 1, line 5, after "exception for" delete "attorney"

AMENDMENT NO. 3

On page 1, line 9, after "reenacted" insert "and R.S. 9:3578.6(A)(8) is hereby enacted"

AMENDMENT NO. 4

On page 1, line 13, after "court," insert "and fees allowed under R.S. 9:3529 and 3530(C)."

AMENDMENT NO. 5

On page 2, after line 7, insert the following:

"(8) Secure a small loan with any property other than that which may be used to secure a consumer loan pursuant to the Louisiana Consumer Credit Law and applicable federal law and regulations; provided, however, that in no event may a transaction governed by the provisions of this Chapter be secured by immovable property

* * *

Rep. Pinac moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Peychaud
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Green	Quezaire
Baudoin	Guillory	Romero
Baylor	Hammett	Salter
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Morrell	Walsworth
Erdy	Morrish	Welch
Fannin	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Perkins	Wright

Total—96

NAYS

Montgomery
Total—1

ABSENT

Doerge	Jackson, L	Odinot
Farrar	Kennard	Richmond

Hill
Total—8 Lancaster

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Speaker DeWitt in the Chair

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 11: Reps. Lancaster, Montgomery, and Bruneau.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 388: Reps. Welch, Durand, and Alario.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 501: Reps. Swilling, Broome, and Murray.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 622: Reps. Pinac, Alexander, and Alario.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 713: Reps. Hutter, Diez, and Montgomery.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1043: Reps. Faucheux, Broome, and Quezaire.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1934: Reps. Baldone, Johns, and Montgomery.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1944: Reps. Montgomery, Martiny, and Lydia Jackson.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

HOUSE BILL NO. 1009— BY REPRESENTATIVE SCHWEGMANN AN ACT

To enact R.S. 14:34.5.1, relative to offenses against the person; to create the crime of battery of a bus operator; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 1154— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 32:387.7, relative to special permits; to provide relative to special permits for trucks hauling sugarcane; to provide relative to violations of the authorized weight limit; to provide relative to an appeal process for violations; to prohibit the issuance of special permits to certain trucks beginning August 1, 2008; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1468— BY REPRESENTATIVE SCHWEGMANN AN ACT

To enact R.S. 56:6(30), relative to nonhuman primates; to provide that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of nonhuman primates; to provide for issuance of certain permits; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 94, 142, 144, 145, 146, 147, and 148

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 76 by Sen. Ellington, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 77 by Sen. Mount, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 133 by Sen. Hoyt, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 802 by Sen. Smith, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III

Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 823 by Sen. Smith, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 236: Senators McPherson, Romero, and Marioneaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 334: Senators Smith, Ellington, and Hoyt.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 622: Senators Hollis, Boissiere, and Heitmeier.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 917: Senators Fontenot Vice McPherson.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 917: Senators Hollis Vice Heitmeier.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 995: Senators Boissiere, Dupre, and Gautreaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1009: Senators Lentini, Chaisson, and Irons.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1147: Senators Schedler, Cravins, and Irons.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1331: Senators Ellington, Dean, and Schedler.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 70: Senators Heitmeier, Gautreaux, and Chaisson.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 260: Senators Bajoie, Ellington, and Smith.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 219: Senators Boissiere, Dean, and Hoyt.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 340: Senators Barham, Irons, and Bajoie.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 501: Senators Bajoie, Johnson, and Heitmeier.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 713: Senators Heitmeier, Dupre, and Chaisson.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 927: Senators Schedler, Mount, and Hines.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1021: Senators Lentini, Chaisson, and Holden.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1437: Senators Tarver, Boissiere, and Malone.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1468: Senators Romero, Hines, and Bajoie.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 18, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1934: Senators Ellington, Dupre, and Dardenne.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 68
Returned without amendments.

House Concurrent Resolution No. 188
Returned without amendments.

House Concurrent Resolution No. 190
Returned with amendments.

House Concurrent Resolution No. 196
Returned without amendments.

House Concurrent Resolution No. 197
Returned with amendments.

House Concurrent Resolution No. 206
Returned without amendments.

House Concurrent Resolution No. 257
Returned without amendments.

House Concurrent Resolution No. 258
Returned without amendments.

House Concurrent Resolution No. 261
Returned without amendments.

House Concurrent Resolution No. 262
Returned without amendments.

House Concurrent Resolution No. 263
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 71
Returned without amendments.

House Bill No. 359
Returned with amendments.

House Bill No. 400
Returned without amendments.

House Bill No. 457
Returned with amendments.

House Bill No. 551
Returned with amendments.

House Bill No. 560
Returned with amendments.

House Bill No. 750
Returned with amendments.

House Bill No. 774
Returned with amendments.

House Bill No. 866
Returned with amendments.

House Bill No. 969
Returned with amendments.

House Bill No. 1011
Returned with amendments.

House Bill No. 1016
Returned without amendments.

House Bill No. 1077
Returned without amendments.

House Bill No. 1085
Returned without amendments.

House Bill No. 1098
Returned without amendments.

House Bill No. 1142
Returned without amendments.

House Bill No. 1171
Returned without amendments.

House Bill No. 1237
Returned without amendments.

House Bill No. 1255
Returned without amendments.

House Bill No. 1278
Returned without amendments.

House Bill No. 1432
Returned with amendments.

House Bill No. 1812
Returned with amendments.

House Bill No. 1839
Returned without amendments.

House Bill No. 1989
Returned with amendments.

House Bill No. 2013
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 120, 147, 151, 207, 235, 281, 303, 304, 323, 338, 349, 359, 481, 502, 505, 511, 552, 602, 636, 660, 749, 797, 840, 868, 869, 870, 890, 947, 969, 972, 983, 1005, 1024, 1028, 1033, 1056, 1115, and 1121

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 143—

BY REPRESENTATIVE WALSWORTH

A RESOLUTION

To commend Cox Communications of Baton Rouge for implementing a Senior Citizen Discount Program.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 144—

BY REPRESENTATIVE GALLOT

A RESOLUTION

To commend Grambling, Louisiana, upon the celebration of its fiftieth anniversary.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 145—

BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise the formula for the minimum foundation program of education to include measures of resident income and equitable measures of property valuation in determining the local wealth factor of public school systems.

Read by title.

On motion of Rep. Faucheux, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 146—

BY REPRESENTATIVES L. JACKSON, GLOVER, BAYLOR, BRUCE, DOERGE, GALLOT, HOPKINS, MONTGOMERY, SALTER, SHAW, JANE SMITH, TOWNSEND, AND WADDELL

A RESOLUTION

To urge and request the mayor and the city council of the city of Shreveport to immediately initiate, pursue, and provide funding for a nationally recognized voluntary accreditation program for the Shreveport Police Department.

Read by title.

On motion of Rep. Lydia Jackson, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 147—

BY REPRESENTATIVE LUCAS

A RESOLUTION

To urge and request the superintendent of the Orleans Parish school system to gather input from faculty, staff, parents, and the community prior to making a decision on the hiring of the principal of George Washington Carver Senior High School.

Read by title.

On motion of Rep. Lucas, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 266—

BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To recognize the Saturday after Mother's Day, annually, as Kids Kicking Cancer Day.

Read by title.

On motion of Rep. LeBlanc, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 267—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise the formula for the minimum foundation program of education to include measures of resident income and equitable measures of property valuation in determining the local wealth factor of public school systems.

Read by title.

On motion of Rep. Faucheux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 268—

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To request the House and Senate Committees on Labor and Industrial Relations to meet and function as a joint committee to study the hiring and procurement practices of the gaming industry and submit a report of its findings to the Legislature of Louisiana on or before thirty days prior to the 2004 Regular Session.

Read by title.

On motion of Rep. Murray, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Labor and Industrial Relations

June 19, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 18, 2003, I am directed by your Committee on Labor and Industrial Relations to submit the following report:

Senate Concurrent Resolution No. 112, by C. D. Jones
Reported with amendments. (11-0)

ELCIE GUILLORY
Chairman

Report of the Committee on Insurance

June 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

Senate Concurrent Resolution No. 102, by Thomas
Reported with amendments. (9-0)

TROY HEBERT
Chairman

Report of the Committee on Civil Law and Procedure

June 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

Senate Bill No. 217, by Marionneaux (Joint Resolution)
Reported with amendments. (6-0) (Regular)

RONNIE JOHNS
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Committee on Enrollment

June 19, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 130—

BY REPRESENTATIVE DURAND

A RESOLUTION

To direct the Department of Health and Hospitals, office of public health, through its Healthy People 2010 program, to plan, implement, and promote a comprehensive, statewide disease prevention agenda that will serve as a road map for improving the health of all people in the state of Louisiana during the first decade of the 21st century and whose overarching purpose will include promoting health and preventing illness, disability, and premature death.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 19, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 254—

BY REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To commend Doug Daigle upon thirty-two years of public service on the police jury of Jefferson Davis Parish.

HOUSE CONCURRENT RESOLUTION NO. 255—

BY REPRESENTATIVES WELCH AND ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend the Louisiana State University Lady Tigers upon winning the National Collegiate Athletic Association Women's Track and Field Championship.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and

taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 19, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 52—

BY REPRESENTATIVE GARY SMITH

AN ACT

To enact R.S. 29:732.1, relative to states of emergency; to prohibit telemarketing activity during a declared state of emergency; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 71—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:443.1(B), 443.2(7), 444(I), 445(A)(3) and (4), and 464(C)(4), relative to committees of recognized political parties; to provide with respect to the applicability of provisions of law relative to the establishment, composition, apportionment, and election of, qualifying fees for, and vacancies on such committees; to provide with respect to the number and apportionment of state central committees; and to provide for related matters.

HOUSE BILL NO. 133—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 36:801.1(A) and 803(A), R.S. 44:5(A), and R.S. 49:191(13)(c) and 968(B)(1), to enact R.S. 36:4.1(G), and to repeal R.S. 36:4.1(B)(2), relative to economic development; to provide for the transfer of certain licensing agencies; to provide relative to public records; to provide for the termination of certain state entities; to provide for the review of agency rules; to provide for the transfer of the Louisiana State Racing Commission; and to provide for related matters.

HOUSE BILL NO. 150—

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 45:844.4 and 844.8, relative to telephonic solicitations; to provide relative to solicitations to wireless subscribers; to provide for definitions; to prohibit certain solicitations; to provide for responsibility; to provide for investigations and penalties; and to provide for related matters.

HOUSE BILL NO. 363—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 40:1496.17(D) and 1502.10(A), relative to fire protection districts; to provide relative to the administration of funds of the Fire Protection District of Red River Parish; to provide that the board of commissioners of the district shall administer such funds; to provide for implementation; to authorize the governing authority of the Fire Protection District No.1 of Caddo Parish, subject to voter approval, to establish and collect a service charge or rates of service charges; and to provide for related matters.

HOUSE BILL NO. 397—

BY REPRESENTATIVE GREEN

AN ACT

To enact R.S. 9:292, relative to name changes; to provide for the use of surnames by married persons; to provide for the use of a deceased spouse's surname; to provide for the use of a former spouse's surname; and to provide for related matters.

HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

HOUSE BILL NO. 453—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 9:5607, relative to civil liability for damages; to provide for peremption of actions for damages against a professional engineer, surveyor, and architect; to provide for a prescriptive period for such actions; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 469—

BY REPRESENTATIVES SALTER AND BRUCE

AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide for qualifications for a license available to state residents on active military duty; and to provide for related matters.

HOUSE BILL NO. 591—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:102, relative to persons ineligible to register to vote; to provide for the eligibility of a person convicted of a felony prior to adoption of the 1974 Constitution of Louisiana who has fully satisfied and completed his sentence to register to vote and vote; and to provide for related matters.

HOUSE BILL NO. 633—

BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 49:170.8, to designate the Creole Tomato as the state vegetable plant; and to provide for related matters.

HOUSE BILL NO. 818—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1481(1)(a), relative to the Louisiana Assessors' Retirement Fund; to provide for financing of the fund; to provide for tax deductions; to provide for the sources of funding; to provide authority for the fund to make demand on the state treasurer for certain payments; to specify that amounts due to the fund shall be certified as correct by the legislative auditor; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 841—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 22:212(7)(c), relative to health and accident insurance; to provide relative to the method of delivery of health and accident insurance policies to policyholders by insurers or agents; and to provide for related matters.

HOUSE BILL NO. 883—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

HOUSE BILL NO. 908—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:1751.1, relative to the Municipal Employees' Retirement System of Louisiana; to exempt certain elected officials from making contributions to the system and to provide that they are ineligible for membership; to provide for employer contributions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 912—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:1305(D), relative to the State Police Pension and Retirement System; to provide for the purchase of service credit for employment with certain law enforcement agencies; and to provide for related matters.

HOUSE BILL NO. 913—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1312(H) and 1335, relative to the Louisiana State Police Pension and Retirement System; to provide with respect to the conversion of annual leave and sick leave upon termination of employment; to provide relative to lump sum payments for leave conversion; to allow deposit of such payments directly into the member's Deferred Retirement Option Plan account; to provide for placing Deferred Retirement Option Plan account balances in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 941—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

HOUSE BILL NO. 964—

BY REPRESENTATIVES LEBLANC, ALEXANDER, BAUDOUIN, PIERRE, AND PINAC

AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, and Act No. 40 of the 1989 Regular Session of the Legislature, relative to the taxes levied by the governing authority of Lafayette Parish upon the occupancy of hotel rooms and overnight camping facilities within the parish, the proceeds of which are used to support the Lafayette Parish Convention and Visitors Commission; to provide that the amount of such taxes shall not exceed four percent of the rent or fee

Page 82 HOUSE

45th Day's Proceedings - June 19, 2003

charged for such occupancy; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 968—
BY REPRESENTATIVES ARNOLD AND TUCKER
AN ACT

To amend and reenact R.S. 33:2740.27(D)(introductory paragraph), (1), and (2), relative to the Algiers Development District; to provide relative to the membership of the board of commissioners; to provide relative to the qualifications, appointment, and service of board members; and to provide for related matters.

HOUSE BILL NO. 986—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 11:163(B) and to enact R.S. 11:163(C), relative to the Louisiana State Employees' Retirement System; to provide for purchase of service credit for time on leave without pay; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 998—
BY REPRESENTATIVES GALLOT AND L. JACKSON
AN ACT

To amend and reenact Code of Civil Procedure Article 966(B), relative to the motion for summary judgment; to provide for delays for filing; and to provide for related matters.

HOUSE BILL NO. 1016—
BY REPRESENTATIVES DEVILLIER AND HEATON
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to eligibility for intensive parole supervision under the supervision of the Department of Public Safety and Corrections; to provide for eligibility of persons convicted of certain controlled dangerous substances; and to provide for related matters.

HOUSE BILL NO. 1037—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:101(A), relative to banking; to provide for the authority of the commissioner of financial institutions; to provide for the authority of the legislature; and to provide for related matters.

HOUSE BILL NO. 1048—
BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 9:2800.2, relative to social workers; to provide for the limitation of liability of social workers; and to provide for related matters.

HOUSE BILL NO. 1062—
BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, AND LANCASTER
AN ACT

To amend and reenact R.S. 4:707(A)(introductory paragraph) and (B) through (G), 709(A)(introductory paragraph) and (B), 710, 711, and 713(A) and to enact R.S. 4:706(C) and 707(H) and (I), relative to the conducting and regulation of charitable gaming; to provide for the licensing and regulation of charitable gaming by the governing authority of a municipality or parish; to provide for the authority of the governing authority of the municipality or parish with respect to the regulation of charitable gaming; to provide for the regulatory authority of the office of charitable gaming, Department of Revenue, in relationship to the regulatory authority of the governing authority of the municipality or parish with regard to charitable gaming; and to provide for related matters.

HOUSE BILL NO. 1100—
BY REPRESENTATIVES THOMPSON, BRUCE, DOERGE, GLOVER, HAMMETT, HUNTER, KENNEY, McDONALD, MONTGOMERY, SALTER, TOWNSEND, AND WALSWORTH AND SENATORS ADLEY, BEAN, MALONE, AND TARVER
AN ACT

To amend and reenact R.S. 17:1519(5) and 3215(6)(b), to enact R.S. 17:1518, and to repeal R.S. 17:1519.1(B)(4), relative to E.A. Conway Medical Center; to merge the E.A. Conway Medical Center, its funds, property, records, obligations, functions, and employees with the Louisiana State University Health Sciences Center at Shreveport; and to provide for related matters.

HOUSE BILL NO. 1103—
BY REPRESENTATIVE FRUGE
AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

HOUSE BILL NO. 1108—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 37:3372(3), (9), (10), and (11), 3375(B), 3376(G)(2), 3379(A)(6), and 3383 and to enact R.S. 37:3372(12) and 3376(G)(3), relative to mental health professionals; to revise the qualifications to become a compulsive gambling counselor; and to provide for related matters.

HOUSE BILL NO. 1190—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:1083(6), 1087(B)(1), (10), and (C), 1088(F)(5), 1089(A)(1) and (B)(1) and (2), 1090(B)(2)(introductory paragraph) and (3), 1091(C)(1), 1096(G), 1097(B)(introductory paragraph), and 1099(B), to enact R.S. 6:1086(C), 1090(B)(4), 1092(J), 1094(G), and 1096(I), and to repeal R.S. 6:1087(D) and 1092(D), relative to residential mortgage lending activities; to expand the definition of originator; to provide for and eliminate licensing exemptions; to provide for licensing qualifications; to define acquisition or control of a licensee; to allow the commissioner to disseminate information; to provide for licensing of previously exempt person; to prohibit and punish certain practices; and to provide for related matters.

HOUSE BILL NO. 1279—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1301, to enact R.S. 11:1336 through 1338, to designate R.S. 11:1301 through 1338 as Part I of Chapter 4 of Title 11 of the Louisiana Revised Statutes of 1950, and to enact Part II of said Chapter 4, to be comprised of R.S. 11:1341 through 1344, relative to the State Police Pension and Retirement System; to provide for definitions; to create an excess benefit plan; to provide with respect to qualification of the retirement system under Section 401(a) of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1284—
BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO, LANCASTER, MARTINY, AND SNEED
AN ACT

To amend and reenact R.S. 13:2562.24(D) and to enact R.S. 13:2562.24(E), relative to the First and Second Parish Courts of Jefferson Parish; to authorize the Jefferson Parish Council and the judges of the courts to provide for a security service charge fee on each filing in the First and Second Parish Courts of Jefferson Parish; to authorize the fee to be used to defray the cost of the purchase, operation, and maintenance of courtroom security devices; to authorize any excess in fees generated to be used to defray the cost of other judicial equipment, facilities, building new

facilities, or payment of any bond indebtedness; and to provide for related matters.

HOUSE BILL NO. 1297—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 47:1577, relative to state tax obligations constituting a lien, privilege, and mortgage; to provide that state tax lien, privilege, and mortgage arise at the time the tax is assessed; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1327—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:560 and 561, relative to pipeline safety inspection fees; to provide relative to the collection and amounts of such fees; to provide relative to persons responsible for paying such fees; and to provide for related matters.

HOUSE BILL NO. 1328—

BY REPRESENTATIVES PINAC AND NEVERS

AN ACT

To enact Chapter 24-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2181 through 2192, relative to licensing; to provide for licensing for persons who perform mold remediation services; to provide relative to the State Licensing Board for Contractors; to provide for a purpose and scope; to provide for definitions; to provide for the board's powers and duties; to provide for qualifications, applications, and fees; to provide for exceptions; to provide relative to written reports; to prohibit certain activities; to provide for license renewals; to provide for administrative actions and penalties; to provide for cease and desist orders and injunctive relief; and to provide for related matters.

HOUSE BILL NO. 1460—

BY REPRESENTATIVES TOOMY, CAPELLA, R. CARTER, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, AND WELCH

AN ACT

To amend and reenact R.S. 26:932(5) and (7), 933(B)(introductory paragraph) and (C)(7), 934(5), 935(A), (B)(1)(a) and (2), and (C), and 939 and to enact R.S. 26:932(8) and (9), relative to the Responsible Vendor Program; to include the serving or selling of tobacco products in the program; to include holders of Retail Dealer Registration Certificates and Retail Dealer Permits in the program; to provide for definitions; to provide for suspension or revocation of a server's permit for selling or serving tobacco products to an underage person; to provide for exceptions to the suspension or revocation of a vendor's permit; and to provide for related matters.

HOUSE BILL NO. 1549—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.44(C)(5), relative to the Medical Malpractice Act; to provide relative to the Patient's Compensation Fund; to provide for discovery; to provide for jury trials; to provide for the effect of certain provisions; and to provide for related matters.

HOUSE BILL NO. 1591—

BY REPRESENTATIVES MCDONALD AND THOMPSON

AN ACT

To enact R.S. 33:2740.55, to create the Bastrop Downtown Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governance of the district; to provide relative to district plans; to authorize the governing authority of the city of Bastrop to levy and collect taxes and issue bonds on behalf of the district, subject to approval of district voters; and to provide for related matters.

HOUSE BILL NO. 1598—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1959 and 1961 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

HOUSE BILL NO. 1619—

BY REPRESENTATIVES MORRISH AND NEVERS

AN ACT

To enact Chapter 20-B-5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.48 through 3042.53, relative to a guaranteed loan program for certain nursing students; to authorize the Louisiana Student Financial Assistance Commission to make loans to certain students enrolled in certain nursing programs; to provide for legislative findings and purpose, eligibility requirements, commission rules and regulations, loan amounts, loan forgiveness, contract requirements, and funding; and to provide for related matters.

HOUSE BILL NO. 1656—

BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 23:1121(B), relative to workers' compensation; to provide for the selection of a treating physician; and to provide for related matters.

HOUSE BILL NO. 1718—

BY REPRESENTATIVES ANSARDI, TOOMY, AND TUCKER

AN ACT

To amend and reenact R.S. 34:2021(D), 2022(A), (C)(2)(introductory paragraph), and (I), 2024, 2027, and 2028 and R.S. 41:1217(2)(a) and (b) and to enact R.S. 34:2022(K) and 2033 through 2036, relative to port authorities; to provide for rights and powers; to provide for sale of bonds; to provide for right of expropriation; to provide for general compliances; to create and provide for additional economic development; to create and provide for additional powers; to create and provide for revenue bonds; to provide for thirty-year lease extensions for persons making certain improvements on leased public land; to provide extension for persons prepaying certain rental payments; and to provide for related matters.

HOUSE BILL NO. 1795—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 51:122 and to enact R.S. 51:1421, relative to monopolies and other business practices; to provide relative to the capacity of parent entities and wholly owned subsidiaries to conspire; to provide for requirements of franchise agreements; and to provide for related matters.

HOUSE BILL NO. 1797—

BY REPRESENTATIVE KENNEY

AN ACT

To amend and reenact R.S. 3:3105(B) and to enact R.S. 3:3107, relative to the importation of cervid species; to provide for entry requirements of cervid species into Louisiana; to provide for penalties; to provide for quarantines; and to provide for related matters.

HOUSE BILL NO. 1800 (Substitute for House Bill No. 1076 by Representative Powell)—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951(A) and (B), relative to the South Tangipahoa Parish Port Commission; to provide for membership

Page 84 HOUSE

45th Day's Proceedings - June 19, 2003

of the South Tangipahoa Parish Port Commission; and to provide for related matters.

HOUSE BILL NO. 1809— BY REPRESENTATIVE THOMPSON AN ACT

To enact R.S. 56:1687(11), relative to the office of state parks; to authorize the secretary of the Department of Culture, Recreation and Tourism, in consultation with the board of commissioners of the Poverty Point Reservoir District, to make, alter, amend, and promulgate rules regulating recreational use of such water bodies; and to provide for related matters.

HOUSE BILL NO. 1839— BY REPRESENTATIVES BAYLOR AND L. JACKSON AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

HOUSE BILL NO. 1864— BY REPRESENTATIVE FRITH AN ACT

To amend and reenact R.S. 9:3578.6(A)(2), relative to deferred presentment and small loan lenders; to prohibit certain activities; and to provide for related matters.

HOUSE BILL NO. 1891— BY REPRESENTATIVE BALDONE AN ACT

To amend and reenact R.S. 15:542.1(H)(1), relative to registration of sex offenders; to provide relative to exceptions of registration requirements; and to provide for related matters.

HOUSE BILL NO. 1943— BY REPRESENTATIVE LEBLANC AND SENATOR CRAVINS AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2102, relative to the Lafayette Metropolitan Expressway Commission; to create and provide relative to the Lafayette Metropolitan Expressway Commission; to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction, and duties of the commission; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1956— BY REPRESENTATIVE WELCH AN ACT

To enact R.S. 40:2405.4, relative to peace officers; to require applicants for jobs as peace officers to provide a DNA sample and fingerprint prior to commencing the discharge of duties as a peace officer; to require law enforcement agencies to conduct criminal background checks of applicants for the job of peace officers; to provide for voluntary testing of currently employed peace officers; to provide for the adoption of rules; to provide for storage of DNA material and procedures prior to testing; to provide for purposes for which the DNA may be tested; to provide for alternative samples; to provide for definitions; to provide for penalties for unauthorized use of DNA samples; and to provide for related matters.

HOUSE BILL NO. 1981— BY REPRESENTATIVES MARTINY AND CAPELLA AN ACT

To enact R.S. 14:106.2, relative to offenses affecting the general peace and order; to prohibit the engaging of certain sexual acts in public; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 2009 (Substitute for House Bill No. 1012 by Representative Devillier)— BY REPRESENTATIVE DEVILLIER AN ACT

To enact R.S. 40:962.1.1, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of possession of twelve grams or more of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts; to provide for penalties; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 2017 (Substitute for House Bill No. 641 by Representative Winston)— BY REPRESENTATIVES WINSTON AND SCHNEIDER AN ACT

To amend and reenact R.S. 15:587(B) and to enact R.S. 15:587.1(H), relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to the duty to provide information; to provide that licensed child placement agencies and persons authorized to conduct preplacement home studies shall have access to criminal history information on certain persons; to provide for fingerprinting services by such bureau under certain circumstances; to authorize fees for such services; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Recess

On motion of Rep. Bruneau, the Speaker declared the House at recess until 5:00 P.M.

After Recess

Speaker DeWitt called the House to order at 5:30 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Glover	Peychaud
Alario	Green	Pierre
Alexander	Guillory	Pinac
Ansardi	Hammett	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Honey	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Scalise
Broome	Hunter	Schneider
Bruce	Hutter	Schwegmann
Bruneau	Iles	Shaw
Capella	Jackson, L	Smith, G.—56th
Carter, K	Jackson, M	Smith, J.D.—50th

Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wooton
Futrell	Odinet	Wright
Gallot	Perkins	
Total—98		

ABSENT

Carter, R	Erdey	Sneed
Diez	Faucheux	
Doerge	Kennard	
Total—7		

The Speaker announced there were 98 members present and a quorum.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. LeBlanc asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 1—

BY REPRESENTATIVE LEBLANC

AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On Page 2, line 9, delete "\$151,968,000" and insert "\$137,568,000"

AMENDMENT NO. 2

On Page 6, delete lines 24 through 30 and insert in lieu thereof the following:

"B. The commissioner of administration is hereby directed to reduce the discretionary State General Fund (Direct) appropriations contained in this Act by one percent (1%) across-the-board, or so much as may be necessary thereof, to effect a savings of \$21,000,000. For the purposes of this reduction, discretionary expenditures shall not include non-discretionary expenditure items as described in the Fiscal Year 2003-2004 Executive Budget.

However, the following items shall be exempt from this reduction: all Medicaid and Medicaid-Disproportionate Share Payments to the Louisiana State University Health Care Services Division and to the Louisiana State University Health Sciences Center - Shreveport contained in Schedule 09-306 Medical Vendor Payments; and all State General Fund (Direct) for the Louisiana State University Health Care Services Division contained in Schedule 19-610; and all State General Fund (Direct) for the cost of operations and the provision of medical services at the hospital operated by the Louisiana State University Health Sciences Center - Shreveport contained in Schedule 19-600.

Pursuant to this reduction, the commissioner of administration shall limit the State General Fund (Direct) reduction to appropriations contained in Schedule 09 - Department of Health and Hospitals to the amount of \$5,000,000 and such reduction shall only be applied to Schedule 09-306 Medical Vendor Payments. The commissioner of administration is further directed to adjust the associated means of financing.

In implementing these reductions to the Department of Health and Hospitals, the commissioner shall reduce the total allocations in the Payments to Private Providers Program for Medicaid payments for the following services by the more or less estimated following amounts: inpatient hospital services, \$9,408,075; nursing homes, \$9,408,075; Intermediate Care Facilities for the Mentally Retarded (ICF/MRs), \$1,960,016; and Adult Day Health Care Waivers, \$980,008. Additionally, in Medical Vendor Payments, the commissioner shall reduce the allocation in the Payments to Public Providers Program for Medicaid payments to state Intermediate Care Facilities for the Mentally Retarded (ICF/MRs) by a more or less estimated amount of \$980,008. The commissioner is further directed to reduce the budget units of the individual state development centers (Schedules 09-340 through 09-349, inclusive) corresponding to the reduction authorized in the Medical Vendor Payments budget."

Page 86 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 3

On Page 12, delete lines 19 through 23, in their entirety

AMENDMENT NO. 4

On Page 12, between lines 23 and 24, insert the following:

"Payable out of the State General Fund (Direct)
to the Louisiana Indigent Defense Assistance
Board Program to provide legal services for
juveniles as required in the Department of
Corrections Consent Judgment \$ 140,000

Payable out of the State General Fund by
Fees and Self-generated Revenues to the
Administrative Program for continuation of
the Independent Living Research Utilization
contract through Fiscal Year 2004 \$ 14,250

Payable out of the State General Fund by
Interagency Transfers for additional funding
for the Private Pre-K Initiative associated with
Temporary Assistance for Needy Families
(TANF) \$ 1,860,400"

AMENDMENT NO. 5

On Page 14, delete line 3, and insert the following:

"Executive Administration - Authorized
Positions (603) \$ 91,031,409"

AMENDMENT NO. 6

On Page 15, line 45, delete "\$185,944,995" and insert "\$189,547,014"

AMENDMENT NO. 7

On Page 15, line 51, delete "\$18,181,824" and insert "\$21,783,843"

AMENDMENT NO. 8

On Page 15, line 55, delete "\$185,944,995" and insert "\$189,547,014"

AMENDMENT NO. 9

On Page 18, line 42, delete "\$15,550,000" and insert "\$11,662,500"

AMENDMENT NO. 10

On Page 18, line 43, delete "\$15,550,000" and insert "\$11,662,500"

AMENDMENT NO. 11

On Page 18, delete line 45, in its entirety

AMENDMENT NO. 12

On Page 18, line 47, delete "\$15,550,000" and insert "\$11,662,500"

AMENDMENT NO. 13

On Page 18, delete lines 48 through 51, in their entirety

AMENDMENT NO. 14

On Page 18, after line 51, insert the following:

"Payable out of the State General Fund (Direct)

for the Youth Challenge Program \$ 15,000"

AMENDMENT NO. 15

On Page 20, line 2, delete "\$300,000" and insert "\$150,000"

AMENDMENT NO. 16

On Page 21, line 3, delete "\$48,555,601" and insert "\$49,455,601"

AMENDMENT NO. 17

On Page 21, line 34, delete "\$48,555,601" and insert "\$49,455,601"

AMENDMENT NO. 18

On Page 21, delete line 37, in its entirety

AMENDMENT NO. 19

On Page 21, line 38, delete "\$41,855,601" and insert "\$41,255,601"

AMENDMENT NO. 20

On Page 21, between lines 38 and 39, insert the following:

"Statutory Dedications:
Sports Facility Assistance Fund \$ 1,500,000"

AMENDMENT NO. 21

On Page 21, line 40, delete "\$48,555,601" and insert "\$49,455,601"

AMENDMENT NO. 22

On Page 21, between lines 40 and 41, insert the following:

"Payable out of the State General Fund (Direct)
to the Administrative Program for the Greater
New Orleans Sports Foundation \$ 350,000"

AMENDMENT NO. 23

On Page 23, line 1, delete "\$9,189,837" and insert "\$9,057,490"

AMENDMENT NO. 24

On Page 23, line 30, delete "\$36,548,869" and insert "\$36,416,522"

AMENDMENT NO. 25

On Page 23, line 38, delete "\$3,724,014" and insert "\$3,591,667"

AMENDMENT NO. 26

On Page 23, line 40, delete "\$36,548,869" and insert "\$36,416,522"

AMENDMENT NO. 27

On Page 23, line 43, delete "\$350,000" and insert "\$175,000"

AMENDMENT NO. 28

On Page 27, line 54, delete "\$75,000" and insert "\$37,500"

AMENDMENT NO. 29

On Page 28, line 3, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 30

On Page 28, between lines 3 and 4, insert the following:

"Payable out of the State General Fund (Direct) to the Office of Elderly Affairs for restoration of statewide funding for Parish Councils on Aging\$ 500,000

Payable out of the State General Fund (Direct) for operational expenses relating to the St. Landry Parish Sheriff's Triad Program for the Elderly \$ 50,000

Payable out of the State General Fund (Direct) for the implementation of the Louisiana Elderly Medication Program, including one (1) position, but only in the event either House Bill No. 2024 or Senate Bill No. 1132 of the 2003 Regular Session of the Legislature is enacted into law \$ 500,000

Payable out of the State General Fund (Direct) for the LaSalle Council on Aging \$ 25,000

Payable out of the State General Fund (Direct) for the Franklin Parish Council on Aging \$ 25,000

Payable out of the State General Fund (Direct) for the Milan Broadmore Senior Transportation Project \$ 60,000

Payable out of the State General Fund (Direct) for renovation and remodeling of homes for the elderly in New Orleans \$ 250,000

Payable out of the State General Fund (Direct) to the Martin Luther King Jr. Homemaker Program of New Orleans for elderly services \$ 160,000"

AMENDMENT NO. 31

On Page 32, line 37, delete "\$75,000" and insert "\$37,500"

AMENDMENT NO. 32

On Page 33, line 5, delete "Access" and insert "Systems"

AMENDMENT NO. 33

On Page 33, delete line 9, and insert the following:

"Vote Fund, Voting Systems Account to the Help Louisiana Vote Fund, HAVA Requirements"

AMENDMENT NO. 34

On Page 33, line 14, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 35

On Page 33, line 20, delete "\$25,000" and insert "\$12,500"

AMENDMENT NO. 36

On Page 33, between lines 20 and 21, insert the following:

"Payable out of the State General Fund (Direct) to the Museum and Other Operations Program, including one (1) position, for the Military Museum \$ 75,000

Payable out of the State General Fund (Direct) for Camp Moore Cemetery \$ 20,000

Payable out of the State General Fund (Direct) for the Jeanerette Museum \$ 10,000

Payable out of the State General Fund by Fees and Self-generated Revenues to the Administrative Program for expenses related to the annual registration of notaries in the event that House Bill No. 1854 of the 2003 Regular Session of the Legislature is enacted into law \$ 339,891

Payable out of the State General Fund by Fees and Self-generated Revenues to the Museum and Other Operations Program for the Garyville Timbermill Museum \$ 6,500

Payable out of the State General Fund by fees and Self-generated Revenues to the Museum and Other Operations Program for the Mansfield Women's College Museum \$ 6,500

Payable out of the State General Fund (Direct) for the Old State Capitol \$ 75,000"

AMENDMENT NO. 37

On Page 36, line 24, delete "\$61,988" and insert "\$37,750"

AMENDMENT NO. 38

On Page 36, line 25, delete "\$919,532" and insert "\$559,986"

AMENDMENT NO. 39

On Page 36, line 26, delete "\$297,220" and insert "\$181,004"

AMENDMENT NO. 40

On Page 36, line 27, delete "\$1,278,740" and insert "\$778,740"

AMENDMENT NO. 41

On Page 36, line 29, delete "\$1,278,740" and insert "\$778,740"

AMENDMENT NO. 42

On Page 36, line 30, delete "\$1,278,740" and insert "\$778,740"

AMENDMENT NO. 43

On Page 36, after line 41, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Pari-mutuel Live Racing Facility Gaming Control Fund to the Gaming Program for additional workload related to the Bossier Parish Facility, including one (1) position \$ 65,000"

AMENDMENT NO. 44

On Page 39, line 2, delete "Elections Program" and insert "Voter Registration Program"

AMENDMENT NO. 45

On Page 39, line 5, delete "Elections Program" and insert "Voter Registration Program"

Page 88 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 46

On Page 47, line 17, delete "1623" and insert "1362"

AMENDMENT NO. 47

On Page 48, line 4, delete "\$5,000,000" and insert "\$4,500,000"

AMENDMENT NO. 48

On Page 50, after line 51, insert the following:

"Payable out of the State General Fund by
Fees and Self-generated Revenues for the
restoration of three (3) positions and the
associated funding in the Market Compliance
Program \$ 156,380

Payable out of the State General Fund by
Fees and Self-generated Revenues for one
position and the associated funding in the
Administration/Fiscal Program \$ 50,354"

AMENDMENT NO. 49

On Page 52, line 3, delete "(31)" and insert "(30)"

AMENDMENT NO. 50

On Page 52, line 3, delete "\$32,612,896" and insert "\$29,412,896"

AMENDMENT NO. 51

On Page 53, delete lines 35 through 41, in their entirety

AMENDMENT NO. 52

On Page 54, line 62, delete "\$53,324,015" and insert "\$50,124,015"

AMENDMENT NO. 53

On Page 55, line 2, delete "\$23,424,100" and insert "\$21,724,100"

AMENDMENT NO. 54

On Page 55, line 4, delete "\$1,572,000" and insert "\$72,000"

AMENDMENT NO. 55

On Page 55, line 11, delete "\$53,324,015" and insert "\$50,124,015"

AMENDMENT NO. 56

On Page 55, line 14, delete "2" and insert "4"

AMENDMENT NO. 57

On Page 55, line 14, delete "\$205,109" and insert "\$102,555"

AMENDMENT NO. 58

On Page 55, line 19, delete "\$500,000" and insert "\$200,000"

AMENDMENT NO. 59

On Page 55, line 22, delete "\$75,000" and insert "\$37,500"

AMENDMENT NO. 60

On Page 55, line 25, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 61

On Page 55, delete lines 35 and 36, insert the following:

"to the Business Services Program for bass
fishing tournaments \$ 12,500"

AMENDMENT NO. 62

On Page 55, line 39, delete "\$25,000" and insert "\$12,500"

AMENDMENT NO. 63

On Page 55, line 43, delete "\$60,000" and insert "\$30,000"

AMENDMENT NO. 64

On Page 55, line 46, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 65

On Page 55, line 49, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 66

On Page 56, line 4, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 67

On Page 56, line 10, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 68

On Page 56, line 14, delete "\$75,000" and insert "\$37,500"

AMENDMENT NO. 69

On Page 56, line 17, delete "\$40,000" and insert "\$20,000"

AMENDMENT NO. 70

On Page 56, delete lines 24 through 27, in their entirety

AMENDMENT NO. 71

On Page 56, line 30, delete "\$90,000" and insert "\$45,000"

AMENDMENT NO. 72

On Page 56, line 33, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 73

On Page 56, line 36, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 74

On Page 56, line 39, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 75

On Page 56, line 43, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 76

On Page 56, line 46, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 77

On Page 56, line 48, delete "\$400,000" and insert "\$200,000"

AMENDMENT NO. 78

On Page 56, after line 48, insert the following:

"Payable out of the State General Fund (Direct) for the New Orleans East Economic Development Foundation	\$ 50,000
Payable out of the State General Fund (Direct) for the MetroVision School-to-Career Partnership, Inc.	\$ 157,000
Payable out of the State General Fund (Direct) to the D-Day Museum for the Return Home Event	\$ 25,000
Payable out of the State General Fund (Direct) for Lafayette Economic Development	\$ 150,000
Payable out of the State General Fund (Direct) to the Business Services Program for the Jefferson Economic Development Foundation	\$ 100,000
Payable out of the State General Fund (Direct) to the Business Services Program for the Volunteer America Lighthouse Project	\$ 75,000
Payable out of the State General Fund (Direct) to the Business Services Program for the Jefferson Performing Arts Society	\$ 50,000
Payable out of the State General Fund (Direct) for the New Orleans Round of the Central American Free Trade Agreement meetings	\$ 50,000
Payable out of the State General Fund (Direct) for development of an application for the New Market Tax Credit by the Ouachita Economic Development Corporation	\$ 50,000
Payable out of the State General Fund (Direct) for Southwest La. Partnership for Economic Development for startup and operations	\$ 250,000
Payable out of the State General Fund (Direct) to the Consortium for Education, Research, and Technology of North Louisiana	\$ 200,000
Payable out of the State General Fund (Direct) to the Enterprise Center of Louisiana	\$ 150,000
Payable out of the State General Fund (Direct) to the Business Services Program for Southside Economic Development	\$ 25,000
Payable out of the State General Fund (Direct) for economic development purposes in the city of Gretna	\$ 100,000
Payable out of the State General Fund (Direct) to the Algiers Economic Development Foundation for projects development and oversight	\$ 150,000
Payable out of the State General Fund (Direct) to Ouachita Economic Development	\$ 50,000
Payable out of the State General Fund (Direct) to the Business Services Program for economic development efforts in the city of Deridder	\$ 25,000"

AMENDMENT NO. 79

On Page 57, line 36, delete "\$15,000" and insert "\$42,500"

AMENDMENT NO. 80

On Page 58, between lines 30 and 31, insert the following:

"Payable out of the State General Fund (Direct) for the East Feliciana and St. Helena parish libraries, provided the funding appropriated herein shall be allocated equally between the recipients	\$ 20,000"
--	------------

AMENDMENT NO. 81

On Page 60, line 4, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 82

On Page 60, line 7, delete "(23)" and insert "(24)"

AMENDMENT NO. 83

On Page 60, line 40, delete "(13)" and insert "(14)"

AMENDMENT NO. 84

On Page 61, line 12, delete "\$80,000" and insert "\$40,000"

AMENDMENT NO. 85

On Page 61, line 15, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 86

On Page 61, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct) to the Arts Program for the New Orleans Holocaust Memorial	\$ 50,000
Payable out of the State General Fund (Direct) for the Winnsboro Main Street program	\$ 13,000
Payable out of the State General Fund (Direct) for the Columbia Main Street program	\$ 50,000
Payable out of the State General Fund (Direct) for the CITGO Bassmasters tournament in Monroe	\$ 15,000
Payable out of the State General Fund (Direct) for the New Orleans Visitors and Information Center	\$ 50,000"

AMENDMENT NO. 87

On Page 63, line 12, delete "\$300,000" and insert "\$150,000"

AMENDMENT NO. 88

On Page 63, between lines 12 and 13, insert the following:

"Payable out of the State General Fund (Direct) for expenses related to the relocation of a DOTD building in Livingston Parish	\$ 200,000"
--	-------------

AMENDMENT NO. 89

On Page 64, line 46, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 90

Page 90 HOUSE

45th Day's Proceedings - June 19, 2003

On Page 64, after line 50, insert the following:

"Payable out of the State General Fund (Direct)
to the Water Resources and Intermodal Program
for the Fifth Levee District for its maintenance
and construction budget \$ 150,000

Payable out of the State General Fund (Direct)
to the Water Resources and Intermodal Program
for the Amite River Basin Commission \$ 200,000"

AMENDMENT NO. 91

On Page 70, between lines 13 and 14, insert the following:

"Payable out of the State General Fund by
Interagency Transfers for additional funding
for the Post-Release Skills Program associated
with Temporary Assistance For Needy Families (TANF) \$ 750,000"

AMENDMENT NO. 92

On Page 76, delete lines 7 through 9, and insert the following:

"Payable out of the State General Fund (Direct)
to the Purchase of Correctional Services
Program for a one percent (1%) inflation
adjustment \$ 160,491"

AMENDMENT NO. 93

On Page 77, delete lines 1 through 3, and insert the following:

"Payable out of the State General Fund (Direct)
to the Purchase of Correctional Services
Program for a one percent (1%) inflation
adjustment \$ 160,491"

AMENDMENT NO. 94

On Page 84, line 25, delete "\$170,000" and insert "\$85,000"

AMENDMENT NO. 95

On Page 87, delete lines 26 and 27, in their entirety

AMENDMENT NO. 96

On Page 87, delete lines 28 through 30, in their entirety

AMENDMENT NO. 97

On Page 90, line 1, delete "642" and insert "617"

AMENDMENT NO. 98

On Page 90, line 4, delete "642" and insert "617"

AMENDMENT NO. 99

On Page 90, line 12, delete "125" and insert "200"

AMENDMENT NO. 100

On Page 90, line 57, delete "95%" and insert "56%"

AMENDMENT NO. 101

On Page 90, line 61, delete "45,000" and insert "8,100"

AMENDMENT NO. 102

On Page 90, line 62, delete "20,520" and insert "900"

AMENDMENT NO. 103

On Page 91, line 2, delete "68%" and insert "54%"

AMENDMENT NO. 104

On Page 91, line 2, delete "5 days" and insert "15 days"

AMENDMENT NO. 105

On Page 91, line 5, delete "5 days" and insert "15 days"

AMENDMENT NO. 106

On Page 91, line 5, delete "81,000" and insert "64,800"

AMENDMENT NO. 107

On Page 91, line 29, delete "\$27,430,799" and insert "\$27,607,349"

AMENDMENT NO. 108

On Page 91, line 43, delete "\$7,359,883" and insert "\$7,183,333"

AMENDMENT NO. 109

On Page 92, between lines 20 and 21, insert the following:

"Payable out of the State General Fund by
Statutory Dedications out of the Insurance
Fraud Fund to the Criminal Investigations
Program for thirteen (13) positions to perform
criminal investigations \$ 1,502,311

Payable out of Federal Funds to the
Operational Support Program, State Police
Crime Lab for DNA analysis on backlogged
forensic cases with no suspects \$ 2,485,415

Payable out of Federal Funds to the Criminal
Investigations Program for acquisition of
portable radios and accessories \$ 78,310

Payable out of the State General Fund (Direct)
for operations of the State Crime Laboratory,
provided, however, that none of the funding
appropriated herein shall be used for costs not
directly related with the State Crime Laboratory;
the Department of Public Safety and Corrections,
Public Safety Services shall also develop a plan
for equitable distribution of the funds appropriated
herein to crime laboratories in the state and said
plan shall be submitted to the Joint Legislative
Committee on the Budget for its review and
approval \$ 500,000

Payable out of the State General Fund (Direct)
to the State Crime Lab for DNA testing for any
person arrested, convicted, or entered into a plea
agreement resulting in a conviction for any
felony, in the event that Senate Bill No. 346
of the 2003 Regular Session of the Legislature is
enacted into law \$ 4,000,000"

AMENDMENT NO. 110

On Page 95, between lines 10 and 11, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Louisiana Alarm Regulatory Trust Fund for licensing of locksmiths, including one (1) position, in the event that House Bill No. 310 of the 2003 Regular Session of the Legislature is enacted into law \$ 37,900"

AMENDMENT NO. 111

On Page 96, between lines 19 and 20, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Liquefied Petroleum Gas Commission Rainy Day Fund to provide funding for Related Benefits in Personal Services \$ 25,219"

AMENDMENT NO. 112

On Page 98, between lines 3 and 4, insert the following:

"Provided, however, that the department shall develop and submit a plan, detailing both the programmatic and financial implications, for downsizing the state institution-based services for the developmental disabled to the House and Senate Committees on Health and Welfare as well as the Joint Legislative Committee on the Budget no later than December 31, 2003. In the formulation of this plan, the department shall seek the input of family members of individuals residing in each of the state developmental centers."

AMENDMENT NO. 113

On Page 98, between lines 14 and 15, insert the following:

"The Department of Health and Hospitals is hereby authorized and directed to develop and implement an intergovernmental transfer program or certification process with the Department of Social Services and the Department of Corrections. The funds from this intergovernmental transfer program or certification process will be used to develop and implement the Residential Treatment Option within the Medicaid Program, as well as enhance the Mental Health Rehabilitation program, for children and adolescents who have a serious emotional disturbance, in lieu of institutionalization.

Provided, however, that the Secretary shall recognize as a minor teaching facility a rehabilitation hospital that meets all of the following criteria: the hospital meets all of the requirements spelled out in the department's rules regarding qualification as a minor teaching hospital; the hospital has no more than sixty (60) licensed beds; the hospital is located in a medically underserved area; the hospital is located in an enterprise zone; the hospital is located in a parish with a population not less than 250,000 persons and not more than 400,000 persons according to the 2000 U. S. Census; and the hospital is located in the same parish with a Medical School accredited by the Liaison Committee on Medical Education (LCME), if funding is available."

AMENDMENT NO. 114

On Page 98, line 17, delete "\$15,974,204" and insert "\$15,832,386"

AMENDMENT NO. 115

On Page 98, line 57, delete "\$15,974,204" and insert "\$15,832,386"

AMENDMENT NO. 116

On Page 99, line 2, delete "\$14,853,265" and insert "\$14,711,447"

AMENDMENT NO. 117

On Page 99, line 5, delete "\$15,974,204" and insert "\$15,832,386"

AMENDMENT NO. 118

On Page 99, delete lines 6 through 8, in their entirety

AMENDMENT NO. 119

On Page 99, line 11, delete "\$22,284,642" and insert "\$22,012,792"

AMENDMENT NO. 120

On Page 99, line 51, delete "\$22,284,642" and insert "\$22,012,792"

AMENDMENT NO. 121

On Page 100, line 2, delete "\$6,612,297" and insert "\$6,340,447"

AMENDMENT NO. 122

On Page 100, line 7, delete "\$22,284,642" and insert "\$22,012,792"

AMENDMENT NO. 123

On Page 101, between lines 34 and 35, insert the following:

"EXPENDITURES:

For the Health Standards Section, including one (1) position	\$ 80,000
--	-----------

TOTAL EXPENDITURES	\$ 80,000
--------------------	-----------

MEANS OF FINANCE:

State General Fund by:

Interagency Transfers	\$ 40,000
Federal Funds	\$ 40,000

TOTAL MEANS OF FINANCING	\$ 80,000
--------------------------	-----------

Provided, however, that this appropriation shall only be effective in the event that House Bill No. 814 of the 2003 Regular Session is enacted into law."

AMENDMENT NO. 124

On Page 101, line 37, delete "\$3,196,239,979" and insert "\$3,244,743,576"

AMENDMENT NO. 125

On Page 102, line 43, delete "\$4,791,536,139" and insert "\$4,840,039,736"

AMENDMENT NO. 126

On Page 102, line 45, delete "\$750,923,834" and insert "\$740,923,834"

AMENDMENT NO. 127

On Page 102, line 47, delete "\$23,752,703" and insert "\$19,898,911"

AMENDMENT NO. 128

Page 92 HOUSE

45th Day's Proceedings - June 19, 2003

On Page 102, line 49, delete "\$303,165,653" and insert "\$328,264,987"

AMENDMENT NO. 129

On Page 102, line 56, delete "\$3,551,453,896" and insert "\$3,588,711,951"

AMENDMENT NO. 130

On Page 102, line 57, delete "\$4,791,536,139" and insert "\$4,840,039,736"

AMENDMENT NO. 131

On Page 103, delete lines 14 through 17, and insert the following:

"Provided, however, that of the funds appropriated herein for the Payments to Private Providers Program, the Department of Health and Hospitals shall maintain a prescription drug limit for Medicaid recipients of no more than eight per month, unless the recipient's physician specifically overrides this limit. Further, the department shall report to the Joint Legislative Committee on the Budget no later than October 15, 2003, the impact resulting from the current monthly prescription limit and whether or not the department plans to implement lower prescription limits or other cost containment measures."

AMENDMENT NO. 132

On Page 103, line 44, delete "\$41,210,243" and insert "\$41,201,243"

AMENDMENT NO. 133

On Page 104, between lines 13 and 14, insert the following:

"Payable out of Federal Funds in the Payments to Public Providers program for the provision of services to children under the age of three (3) in the ChildNet program operated by the Office of Public Health

	\$ 7,816,337
--	--------------

EXPENDITURES:

Payments to Private Providers Program for the payments of hospital "outlier" reimbursement\$ 17,500,000

TOTAL EXPENDITURES	<u>\$ 17,500,000</u>
--------------------	----------------------

MEANS OF FINANCE:

State General Fund (Direct)	\$ 4,464,250
Federal Funds	<u>\$ 13,035,750</u>

TOTAL MEANS OF FINANCING	<u>\$ 17,500,000</u>
--------------------------	----------------------

Provided, however, that the department is hereby directed to amend, subject to the approval of the Centers for Medicare and Medicaid Services, the current outlier payment methodology to limit "outlier" payments to hospitals with NICU and PICU services whose Medicaid patient days as a percent of total patient days exceeded 35% in calendar year 2002.

Provided, however, that the commissioner of administration shall reduce the total appropriation contained herein for the Payments to Private Providers Program by \$21,130,068, of which \$5,390,280 shall be State General Fund (Direct) and \$15,739,788 shall be Federal Funds, and such reduction shall be allocated as follows: \$9,653,810 shall be reduced from the allocation for Behavior Management Services and the department is hereby directed to delay implementation of these services until January 1, 2004; \$500,000 shall be reduced from the allocation for

other private providers services; \$1,577,052 shall be reduced from the allocation for the Assisted Living Program, thereby eliminating all funding allocated for Assisted Living Services; and \$9,399,206 shall be reduced from the allocation for the Personal Care Attendant State Plan Options Services and the department shall delay the provision of these services until October 1, 2003, upon first receiving the approval of the Joint Legislative Committee on the Budget to proceed in offering Personal Care Attendant State Plan Options Services at that time.

EXPENDITURES:

Payments to Public Providers Program for additional Medicaid claims payments to LSU Health Sciences Center - Shreveport	\$ 3,678,347
---	--------------

TOTAL EXPENDITURES	<u>\$ 3,678,347</u>
--------------------	---------------------

MEANS OF FINANCE:

State General Fund (Direct)	\$ 938,347
Federal Funds	<u>\$ 2,740,000</u>

TOTAL MEANS OF FINANCING	<u>\$ 3,678,347</u>
--------------------------	---------------------

AMENDMENT NO. 134

On Page 105, line 28, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 135

On Page 105, delete lines 29 through 32, in their entirety

AMENDMENT NO. 136

On Page 105, between lines 32 and 33, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues to increase fees for the review of facility plans by the Department of Health and Hospitals (DHH) engineering division, in the event that Senate Bill No. 377 of the 2003 Regular Session of the Legislature is enacted into law

	\$ 53,400
--	-----------

Payable out of the State General Fund (Direct) for the Helping Hands Medicine Assistance Program	\$ 100,000"
--	-------------

AMENDMENT NO. 137

On Page 108, delete lines 49 through 52, in their entirety

AMENDMENT NO. 138

On Page 109, line 3, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 139

On Page 109, between lines 6 and 7, insert the following:

"Payable out of the State General Fund (Direct) for the Women's Network of New Orleans	\$ 100,000
--	------------

EXPENDITURES:

Personal Health Services Program for the provision of services to children under the age of three (3) in the ChildNet Program	\$ 9,638,869
---	--------------

TOTAL EXPENDITURES	<u>\$ 9,638,869</u>
--------------------	---------------------

MEANS OF FINANCE:

State General Fund (Direct)	\$ 1,822,532
State General Fund by:	

Interagency Transfers \$ 7,816,337

TOTAL MEANS OF FINANCING \$ 9,638,869"

AMENDMENT NO. 140

On Page 109, line 24, delete "\$9,664,662" and insert "\$9,778,797"

AMENDMENT NO. 141

On Page 109, line 41, delete "\$17,091,257" and insert "\$17,205,392"

AMENDMENT NO. 142

On Page 109, line 43, delete "\$6,406,095" and insert "\$6,520,230"

AMENDMENT NO. 143

On Page 109, line 48, delete "\$17,091,257" and insert "\$17,205,392"

AMENDMENT NO. 144

On Page 109, line 51, delete "\$149,350" and insert "\$74,675"

AMENDMENT NO. 145

On Page 110, line 3, delete "(493)" and insert "(65)"

AMENDMENT NO. 146

On Page 110, line 13, delete "(188)" and insert "(616)"

AMENDMENT NO. 147

On Page 110, line 13, delete "\$38,497,017" and insert "\$38,709,363"

AMENDMENT NO. 148

On Page 110, line 47, delete "\$47,866,194" and insert "\$48,078,540"

AMENDMENT NO. 149

On Page 110, line 51, delete "\$27,985,827" and insert "\$28,198,173"

AMENDMENT NO. 150

On Page 110, line 54, delete "\$47,866,194" and insert "\$48,078,540"

AMENDMENT NO. 151

On Page 111, line 20, delete "\$81,906,447" and insert "\$82,521,467"

AMENDMENT NO. 152

On Page 111, line 56, delete "\$98,980,221" and insert "\$99,595,241"

AMENDMENT NO. 153

On Page 112, line 2, delete "\$50,719,748" and insert "\$50,605,613"

AMENDMENT NO. 154

On Page 112, line 4, delete "\$46,316,249" and insert "\$47,045,404"

AMENDMENT NO. 155

On Page 112, line 7, delete "\$98,980,221" and insert "\$99,595,241"

AMENDMENT NO. 156

On Page 112, line 26, delete "\$70,366,179" and insert "\$71,112,220"

AMENDMENT NO. 157

On Page 113, line 3, delete "\$86,131,327" and insert "\$86,877,368"

AMENDMENT NO. 158

On Page 113, line 7, delete "\$56,207,101" and insert "\$56,953,142"

AMENDMENT NO. 159

On Page 113, line 10, delete "\$86,131,327" and insert "\$86,877,368"

AMENDMENT NO. 160

On Page 113, line 25, delete "\$35,223,346" and insert "\$33,814,482"

AMENDMENT NO. 161

On Page 113, line 46, delete "\$36,826,436" and insert "\$35,417,572"

AMENDMENT NO. 162

On Page 113, line 48, delete "\$36,550,082" and insert "\$35,141,218"

AMENDMENT NO. 163

On Page 113, line 52, delete "\$36,826,436" and insert "\$35,417,572"

AMENDMENT NO. 164

On Page 113, after line 52, insert the following:

"Payable out of the State General Fund (Direct) for the Winn Parish ARC	\$	7,500
Payable out of the State General Fund by Interagency Transfers for transitional expenses associated with the New Opportunities Waiver (NOW) Program	\$	180,000"

AMENDMENT NO. 165

On Page 114, delete lines 52 and 53, in their entirety

AMENDMENT NO. 166

On Page 116, delete lines 32 and 33, in their entirety

AMENDMENT NO. 167

On Page 118, delete lines 32 and 33, in their entirety

AMENDMENT NO. 168

On Page 119, delete lines 20 and 21, in their entirety

AMENDMENT NO. 169

On Page 119, line 24, delete "(29)" and insert "(37)"

AMENDMENT NO. 170

On Page 120, line 42, delete "for the " and insert "to EXCELTH Inc.
for the"

AMENDMENT NO. 171

On Page 120, line 43, delete "\$100,000" and insert "\$50,000"

Page 94 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 172

On Page 120, after line 43, insert the following:

"Payable out of the State General Fund by
Statutory Dedication out of the Compulsive
and Problem Gaming Fund for expenditures
associated with the treatment of persons with
gambling addictions \$ 1,000,000"

AMENDMENT NO. 173

On Page 121, line 34, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 174

On Page 121, line 36, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 175

On Page 121, after line 36, insert the following:

"Payable out of the State General Fund (Direct)
for the Booker T. Washington Community
Outreach Project \$ 25,000"

AMENDMENT NO. 176

On Page 124, line 45, delete "\$50,000" and insert "\$25,000"

AMENDMENT NO. 177

On Page 125, line 31, delete "\$35,250,000" and insert "\$36,180,200"

AMENDMENT NO. 178

On Page 125, line 37, delete "\$6,500,000" and insert "\$8,360,400"

AMENDMENT NO. 179

On Page 125, line 46, delete "\$4,000,000" and insert "\$4,500,000"

AMENDMENT NO. 180

On Page 125, line 54, delete "\$8,834,400" and insert "\$8,934,400"

AMENDMENT NO. 181

On Page 126, line 4, delete "Louisiana Supreme Court" and insert in
lieu thereof "Louisiana State University Board of Supervisors"

AMENDMENT NO. 182

On Page 126, delete lines 7 through 9, in their entirety

AMENDMENT NO. 183

On Page 126, delete lines 22 through 24, in their entirety

AMENDMENT NO. 184

On Page 126, line 44, delete "\$3,000,000" and insert "\$3,750,000"

AMENDMENT NO. 185

On Page 127, delete lines 22 through 27, in their entirety

AMENDMENT NO. 186

On Page 127, delete lines 28 through 33, in their entirety

AMENDMENT NO. 187

On Page 128, between lines 7 and 8, insert the following:

"Provided, however, of the funding appropriated herein for abortion
alternative services, the funding shall be used to fund a program whose
primary function is to assist pregnant women seeking alternatives to
abortion. Such funds shall be expended to provide services to such
women who are pregnant or who reasonably believe they may be
pregnant, until childbirth and for up to 12 months thereafter, including,
but not limited to, pregnancy testing, food, shelter, clothing, health care,
counseling, adoption services, parenting classes, assistance for
post-delivery stress and other supportive programs and services and for
related media outreach programs. The grant recipient may subcontract
with other nonprofit entities which operate projects designed specifically
to provide all or a portion of the foregoing services. Projects receiving
such funds shall not promote, refer for, or perform abortions or engage
in any counseling which is inconsistent with this appropriation and shall
be physically and financially separate from any component of any legal
entity engaging in such activities."

AMENDMENT NO. 188

On Page 128, delete lines 28 through 30, in their entirety

AMENDMENT NO. 189

On Page 130, line 48, delete "\$55,000" and insert "\$27,500"

AMENDMENT NO. 190

On Page 133, line 24, delete "\$42,465" and insert "\$21,232"

AMENDMENT NO. 191

On Page 135, delete lines 25 through 28, in their entirety

AMENDMENT NO. 192

On Page 137, line 14, delete "\$315,103" and insert "\$157,551"

AMENDMENT NO. 193

On Page 137, between lines 14 and 15, insert the following:

"EXPENDITURES:

Oil and Gas Regulatory - Authorized Positions (1\$ 62,055

TOTAL EXPENDITURES \$ 62,055

MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:

Oil and Gas Regulatory Fund \$ 32,560

Federal Funds \$ 29,495

TOTAL MEANS OF FINANCING \$ 62,055

Provided, however, that the funds for the enforcement of the Integrity
Management Program for Hazardous Liquids Operators shall only be
appropriated in the event that House Bill No. 1323 of the 2003 Regular
Session of the Legislature is enacted into law.

EXPENDITURES:

Oil and Gas Regulatory - Authorized Positions (4\$ 490,780

TOTAL EXPENDITURES \$ 490,780

MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:

Oil and Gas Regulatory Fund	\$ 340,400
Federal Funds	\$ 150,380

TOTAL MEANS OF FINANCING \$ 490,780

Provided, however, that the funds to review and to assess pipeline operators' risk analysis and integrity management plans for intrastate pipelines located in Louisiana shall only be appropriated in the event that House Bill No. 1327 of the 2003 Regular Session of the Legislature is enacted into law."

AMENDMENT NO. 194

On Page 137, after line 50, insert the following:

"The Commissioner of Administration shall adjust the means of financing in this schedule in accordance with and in the event House Bill No. 1217 of the 2003 Regular Session of the Legislature is enacted into law."

AMENDMENT NO. 195

On Page 142, between lines 22 and 23, insert the following:

"Payable out of the State General Fund (Direct) to restore funding to the Louisiana Tax Commission	\$ 450,000"
--	-------------

AMENDMENT NO. 196

On Page 143, after line 57, insert the following:

"Payable out of the State General (Direct) for the Litter Abatement Program to be administered by the Office of the Secretary pursuant to R.S. 30:2532	\$ 200,000"
--	-------------

AMENDMENT NO. 197

On Page 147, delete line 10, in its entirety

AMENDMENT NO. 198

On Page 147, line 16, delete "\$300,080" and insert "\$366,480"

AMENDMENT NO. 199

On Page 147, line 39, delete "\$9,834,372" and insert "\$12,834,372"

AMENDMENT NO. 200

On Page 148, line 30, delete "\$137,282,346" and insert "\$127,782,346"

AMENDMENT NO. 201

On Page 149, line 16, delete "\$13,770,718" and insert "\$20,270,718"

AMENDMENT NO. 202

On Page 150, line 31, delete "\$300,000" and insert "\$150,000"

AMENDMENT NO. 203

On Page 150, line 34, delete "\$400,000" and insert "\$200,000"

AMENDMENT NO. 204

On Page 152, between lines 31 and 32, insert the following:

"Payable out of Federal Funds for shrimp fisheries disaster assistance	\$ 7,396,120"
--	---------------

AMENDMENT NO. 205

On Page 153, between lines 26 and 27, insert the following:

"Payable out of Federal Funds for disaster assistance to the seafood industry	\$ 2,195,857"
---	---------------

AMENDMENT NO. 206

On Page 154, after line 50, insert the following:

"Payable out of Federal Funds for projects involving non-game species	\$ 1,964,719"
---	---------------

AMENDMENT NO. 207

On Page 155, after line 45, insert the following:

"Payable out of Federal Funds for disaster assistance for oyster reef rehabilitation and restoration projects	\$ 1,396,889"
---	---------------

AMENDMENT NO. 208

On Page 156, line 5, delete "\$2,927,488" and insert "\$3,743,587"

AMENDMENT NO. 209

On Page 156, line 26, delete "\$2,757,148" and insert "\$3,705,697"

AMENDMENT NO. 210

On Page 157, line 24, delete "\$5,684,636" and insert "\$7,449,284"

AMENDMENT NO. 211

On Page 157, line 27, delete "\$5,249,772" and insert "\$7,014,420"

AMENDMENT NO. 212

On Page 157, line 29, delete "\$5,684,636" and insert "\$7,449,284"

AMENDMENT NO. 213

On Page 162, between lines 5 and 6, insert the following:

"Provided, however, the commissioner of administration is hereby authorized and directed to reduce the State General Fund (Direct) appropriations contained in Schedule 19-Higher Education by a total amount of \$3,622,389 so as to eliminate funding provided to annualize Fiscal Year 2002-2003 classified state employee merit increases."

AMENDMENT NO. 214

On Page 162, between lines 43 and 44, insert the following:

"The commissioner of administration, upon final approval of the Board of Regents, is hereby authorized to transfer and create separate budget allocations under the Louisiana Community and Technical College Board of Supervisors for the SOWELA and L. E. Fletcher campuses of the Louisiana Technical College. The establishment of the SOWELA and L. E. Fletcher campuses as separate allocations is to be associated with the development of these campuses as technical community colleges. This transfer shall include all funding and performance

Page 96 HOUSE

45th Day's Proceedings - June 19, 2003

information associated with each campus. The performance information for the respective campuses shall be consistent with the current performance objectives and indicators for both technical and community colleges. Performance information shall be submitted no later than August 15, 2003, by the respective campuses, as well as related adjustments for the Louisiana Technical College, to the commissioner of administration and the Performance Review Committee of the Joint Legislative Committee on the Budget for approval and incorporation into the Fiscal Year 2003-2004 budget. This information shall be submitted in conformance with the forms and guidelines established by the Division of Administration."

AMENDMENT NO. 215

On Page 163, line 3, delete "\$98,827,308" and insert "\$97,827,308"

AMENDMENT NO. 216

On Page 164, line 9, delete "\$98,827,308" and insert "\$97,827,308"

AMENDMENT NO. 217

On Page 164, line 11, delete "\$42,170,322" and insert "\$41,170,322"

AMENDMENT NO. 218

On Page 164, line 22, delete "\$98,827,308" and insert "\$97,827,308"

AMENDMENT NO. 219

On Page 164, line 41, delete "\$10,000,000" and insert "\$5,000,000"

AMENDMENT NO. 220

On Page 165, delete lines 3 through 7, in their entirety

AMENDMENT NO. 221

On Page 165, delete lines 13 through 19, in their entirety

AMENDMENT NO. 222

On Page 165, between lines 19 and 20, insert the following:

"Payable out of the State General Fund (Direct)
for Truancy Assessment and Service Centers
(TASC) operations \$ 1,925,512"

AMENDMENT NO. 223

On Page 165, line 24, delete "\$7,000,000" and insert "\$5,000,000"

AMENDMENT NO. 224

On Page 165, line 25, delete "\$7,000,000" and insert "\$5,000,000"

AMENDMENT NO. 225

On Page 165, line 27, delete "\$7,000,000" and insert "\$5,000,000"

AMENDMENT NO. 226

On Page 165, line 28, delete "\$7,000,000" and insert "\$5,000,000"

AMENDMENT NO. 227

On Page 166, line 34, delete "\$1,052,033,070" and insert "\$1,050,949,392"

AMENDMENT NO. 228

On Page 166, line 35, delete "\$1,052,033,070" and insert "\$1,050,949,392"

AMENDMENT NO. 229

On Page 166, line 37, delete "\$476,619,976" and insert "\$475,919,976"

AMENDMENT NO. 230

On Page 166, line 43, delete "\$10,015,012" and insert "\$9,631,334"

AMENDMENT NO. 231

On Page 166, line 47, delete "\$1,052,033,070" and insert "\$1,050,949,392"

AMENDMENT NO. 232

On Page 167, between lines 47 and 48, insert the following:

"Payable out of the State General Fund (Direct)
for faculty recruitment at Louisiana State
University Health Sciences Center to be
distributed between the New Orleans and
Shreveport campuses in accordance with a
plan developed and adopted by the Louisiana
State University Board of Supervisors \$ 1,500,000

Payable out of the State General Fund by
Interagency Transfer for the Truancy Assessment
and Service Centers (TASC) operations associated
with Temporary Assistance for Needy Families
(TANF) \$ 2,430,192

Payable out of the State General Fund by
Interagency Transfers for Truancy Assessment
and Service Centers (TASC) operations
associated with Temporary Assistance For
Needy Families (TANF) \$ 1,925,512

Provided, however, none of the funds allocated herein to Louisiana State University - A & M College for TASC operations through the Office of Social Service Research and Development shall be used for indirect finance and administration costs."

AMENDMENT NO. 233

On Page 168, between lines 35 and 36, insert the following:

"Provided, however, of the amount appropriated above to the Louisiana State University Board of Supervisors, the amount of \$4,355,704 shall be allocated to the Office of Social Service Research and Development for the operation of the Truancy Assessment and Service Centers (TASC) in the state."

AMENDMENT NO. 234

On Page 169, delete lines 24 through 26, in their entirety

AMENDMENT NO. 235

On Page 172, line 39, delete "\$615,000" and insert "\$925,000"

AMENDMENT NO. 236

On Page 172, after line 46, insert the following:

"Payable out of the State General Fund by

Statutory Dedication from the Tobacco Tax Health Care Fund for the Louisiana Cancer Research Center of L.S.U. Health Sciences Center in New Orleans/Tulane Health Sciences Center \$ 18,102,000

Payable out of the State General Fund by Statutory Dedication from the Tobacco Tax Health Care Fund for the Louisiana Cancer Research Center of L.S.U. Health Sciences Center in New Orleans/Tulane Health Sciences Center \$ 8,250,000"

AMENDMENT NO. 237

On Page 173, line 4, delete "\$294,450,257" and insert "\$294,190,926"

AMENDMENT NO. 238

On Page 173, after line 59, insert the following:

"Provided, however, that of the funds appropriated in this schedule for allocation to the Louisiana State University Health Sciences Center - Shreveport, an amount of \$250,000 shall be provided for health care clinics, subject to the approval of the chancellor.

Payable out of the State General Fund (Direct) to provide for the training of Health Literacy Outreach Coordinators \$ 65,000

EXPENDITURES:

For the provision of medical services to the medically indigent and operating expenses for the hospital operated by the Louisiana State University Health Sciences Center - Shreveport \$ 8,740,000

TOTAL EXPENDITURES \$ 8,740,000

MEANS OF FINANCE:

State General Fund (Direct) \$ 5,061,653

State General Fund by:
Interagency Transfers \$ 3,678,347

TOTAL MEANS OF FINANCING \$ 8,740,000

Provided, however, that of the funding appropriated herein from the Tobacco Tax Health Care Fund, \$750,000 shall be allocated for the Brain Tumor and Neurosurgery Center at the LSU Health Sciences Center - Shreveport."

AMENDMENT NO. 239

On Page 176, line 3, delete "\$91,173,638" and insert "\$91,049,291"

AMENDMENT NO. 240

On Page 176, line 31, delete "\$7,841,988" and insert "\$7,491,988"

AMENDMENT NO. 241

On Page 176, line 31, delete "\$16,092,889" and insert "\$15,742,889"

AMENDMENT NO. 242

On Page 177, line 19, delete "\$10,159,726" and insert "\$9,809,726"

AMENDMENT NO. 243

On Page 177, line 19, delete "\$11,052,393" and insert "\$10,702,393"

AMENDMENT NO. 244

On Page 182, after line 58, insert the following:

"Payable out of the State General Fund (Direct) for the Southern University - New Orleans Urban Tourism and Marketing Program \$ 100,000"

AMENDMENT NO. 245

On Page 189, delete lines 47 through 50, in their entirety

AMENDMENT NO. 246

On Page 190, delete lines 56 through 58, in their entirety

AMENDMENT NO. 247

On Page 194, delete lines 21 through 25, in their entirety

AMENDMENT NO. 248

On Page 204, between lines 18 and 19, insert the following:

"Payable out of Statutory Dedications out of the Education Excellence Fund for the Instructional Services Program \$ 606"

AMENDMENT NO. 249

On Page 206, between lines 22 and 23, insert the following:

"Payable out of Statutory Dedications out of the Education Excellence Fund for the Instructional Services Program \$ 3,130"

AMENDMENT NO. 250

On Page 207, after line 49, insert the following:

"Payable out of Statutory Dedications out of the Education Excellence Fund for the Instructional Services Program \$ 960"

AMENDMENT NO. 251

On Page 209, line 29, delete "\$70,128" and insert "\$35,064"

AMENDMENT NO. 252

On Page 209, between lines 29 and 30, insert the following:

"Payable out of Statutory Dedications out of the Education Excellence Fund for the Instructional Services Program \$ 4,469

Payable out of the State General Fund by Interagency Transfers to increase budget authority for the Virtual High School Program \$ 267,308"

AMENDMENT NO. 253

On Page 211, between lines 39 and 40, insert the following:

"Payable out of the Federal Funds from the Guaranty Agency Operating Fund for promotional activities, customer services, and outreach activities in the Administration/Support Services Program associated with the Tuition Opportunity Program for Students

Page 98 HOUSE

45th Day's Proceedings - June 19, 2003

(TOPS), the Louisiana Student Tuition Assistance and Revenue Trust (START) Program, and the Federal Family Education Loan Program (FFELP), including two (2) positions \$ 784,370"

AMENDMENT NO. 254

On Page 212, line 44, delete "\$304,000" and insert "\$152,000"

AMENDMENT NO. 255

On Page 212, delete lines 45 through 49, in their entirety

AMENDMENT NO. 256

On Page 217, between lines 42 and 43, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Education Excellence Fund for the Instructional Services Program \$ 5,466"

AMENDMENT NO. 257

On Page 219, line 1, delete "(165)" and insert "(169)"

AMENDMENT NO. 258

On Page 219, line 1, delete "\$21,001,554" and insert "\$20,901,554"

AMENDMENT NO. 259

On Page 219, line 24, delete "(166)" and insert "(168)"

AMENDMENT NO. 260

On Page 220, line 29, delete "(53)" and insert "(49)"

AMENDMENT NO. 261

On Page 220, line 29, delete "\$9,991,437" and insert "\$9,256,565

AMENDMENT NO. 262

On Page 221, line 15, delete "(97)" and insert "(98)"

AMENDMENT NO. 263

On Page 221, line 43, delete "(74)" and insert "(75)"

AMENDMENT NO. 264

On Page 222, line 1, delete "(19)" and insert "(25)"

AMENDMENT NO. 265

On Page 222, line 1, delete "\$3,320,494" and insert "\$4,055,366"

AMENDMENT NO. 266

On Page 222, line 18, delete "\$99,131,892" and insert "\$99,031,892"

AMENDMENT NO. 267

On Page 222, line 20, delete "\$47,739,423" and insert "\$47,639,423"

AMENDMENT NO. 268

On Page 222, line 28, delete "\$99,131,892" and insert "\$99,031,892"

AMENDMENT NO. 269

On Page 222, line 37, delete "\$14,181" and insert "\$7,091"

AMENDMENT NO. 270

On Page 223, between lines 8 and 9, insert the following:

"Payable out of the State General Fund (Direct) for the Louisiana Youth Center in Bunkie \$ 50,000

Payable out of Federal Funds for the Reading First Program, including eleven (11) positions \$ 3,813,641

Payable out of Federal Funds in the Office of Student and School Performance for increases in funding from Title I funds, including one (1) position \$ 6,892,354"

AMENDMENT NO. 271

On Page 225, line 18, delete "\$114,321,222" and insert "\$110,021,222"

AMENDMENT NO. 272

On Page 227, line 18, delete "\$962,529,216" and insert "\$958,229,216"

AMENDMENT NO. 273

On Page 227, line 20, delete "\$96,190,589" and insert "\$91,890,589"

AMENDMENT NO. 274

On Page 227, line 26, delete "\$962,529,216" and insert "\$958,229,216"

AMENDMENT NO. 275

On Page 227, delete lines 27 through 34, in their entirety

AMENDMENT NO. 276

On Page 227, line 46, delete "\$2,128,719" and insert "\$11,082,324"

AMENDMENT NO. 277

On Page 227, line 50, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 278

On Page 227, line 54, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 279

On Page 228, line 4, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 280

On Page 228, line 7, delete "\$72,000" and insert "\$36,000"

AMENDMENT NO. 281

On Page 228, line 10, delete "\$72,000" and insert "\$36,000"

AMENDMENT NO. 282

On Page 228, line 13, delete "\$72,000" and insert "\$36,000"

AMENDMENT NO. 283

On Page 228, line 16, delete "\$180,000" and insert "\$110,000"

AMENDMENT NO. 284

On Page 228, line 19, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 285

On Page 228, between lines 19 and 20, insert the following:

"Payable out of the State General Fund (Direct) to the School and Community Support Program for school technology and equipment to be distributed equally among East Baton Rouge, East Feliciana, West Feliciana, and St. Helena parishes	\$ 55,000
---	-----------

Payable out of the State General Fund (Direct) to the Quality Educators Program for a salary supplement to school psychologists who obtain national certification	\$ 96,000
---	-----------

Payable out of the State General Fund by Interagency Transfers to the Disadvantaged or Disabled Student Support Program for additional funding for the LA4 Program (Early Childhood Development Program) associated with Temporary Assistance for Needy Families (TANF)	\$ 930,200
---	------------

Payable out of the State General Fund by Interagency Transfers to the School and Community Support Program for additional funding for the Drop-Out Prevention and Work-Keys Assessments Program associated with Temporary Assistance For Needy Families (TANF)	\$ 500,000
--	------------

Payable out of the State General Fund (Direct) to the School and Community Support Program for the Spanish Arts Program at Cervantes Foundation Hispano-Americana de Arte	\$ 45,000
---	-----------

Payable out of the State General Fund by Interagency Transfers to the Disadvantaged or Disabled Student Support Program for additional funding for the After-School Initiatives associated with Temporary Assistance for Needy Families (TANF)	\$ 100,000"
--	-------------

AMENDMENT NO. 286

On Page 228, line 25, delete "\$7,500,000" and insert "\$5,000,000"

AMENDMENT NO. 287

On Page 228, line 26, delete "\$7,500,000" and insert "\$5,000,000"

AMENDMENT NO. 288

On Page 228, line 28, delete "\$7,234,394" and insert "\$4,734,394"

AMENDMENT NO. 289

On Page 228, delete line 31, and insert the following:

"School and District Accountability Rewards Fund \$ 265,606"

AMENDMENT NO. 290

On Page 228, line 32, delete "\$7,500,000" and insert "\$5,000,000"

AMENDMENT NO. 291

On Page 228, between lines 32 and 33, insert the following:

"Provided that the Milestone Academy of Learning Experiences Charter School will not be eligible for funding unless and until BESE approves a plan of reorganization by July 1, 2003.

Provided that the SABIS School of New Orleans will not be eligible for funding unless and until the BESE approves a plan of reorganization by July 1, 2003.

Provided, however, that in the event that SABIS School of New Orleans, Inc., or Milestone Academy of Learning Experiences Charter School do not reorganize as provided above, BESE and the Department of Education shall have the authority to transfer funds to an existing Type 2 Charter School located in the same geographical area only if the receiving Type 2 Charter School is operated by SABIS and approved to serve the pupil populations (and grade levels) previously served by the newly closed Type 2 Charter Schools named above."

AMENDMENT NO. 292

On Page 230, line 54, delete "\$406,669" and insert "\$1,989,303"

AMENDMENT NO. 293

On Page 230, after line 54, insert the following:

"Payable out of the State General Fund (Direct) to the Required Services Program for partial restoration of funding	\$ 791,241
---	------------

Payable out of the State General Fund (Direct) to the Transportation Program for partial restoration of funding	\$ 708,759"
---	-------------

AMENDMENT NO. 294

On Page 233, between lines 5 and 6, insert the following:

"Payable out of the State General Fund (Direct) to Special School District #1 Instruction for special education and related services at the Swanson Correctional Center for Youth at Monroe	\$ 100,000"
---	-------------

AMENDMENT NO. 295

On Page 233, line 12, delete "\$18,962,824" and insert "\$1,700,000"

AMENDMENT NO. 296

On Page 233, line 26, delete "\$1,484,413" and insert "\$2,940,574"

AMENDMENT NO. 297

On Page 234, line 1, delete "\$5,136,886" and insert "\$10,629,016"

AMENDMENT NO. 298

On Page 234, line 39, delete "\$1,750,323" and insert "\$3,306,836"

AMENDMENT NO. 299

On Page 235, line 18, delete "\$734,544" and insert "\$1,127,672"

Page 100 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 300

On Page 236, line 1, delete "\$506,381" and insert "\$815,340"

AMENDMENT NO. 301

On Page 236, line 38, delete "\$414,019" and insert "\$664,334"

AMENDMENT NO. 302

On Page 237, line 19, delete "\$140,731" and insert "\$534,163"

AMENDMENT NO. 303

On Page 238, line 2, delete "\$294,583" and insert "\$602,717"

AMENDMENT NO. 304

On Page 238, line 41, delete "\$7,636,602" and insert "\$14,740,654"

AMENDMENT NO. 305

On Page 239, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct) for the New Orleans Health Corporation for three (3) neighborhood health clinics	\$ 250,000
--	------------

Payable out of the State General Fund (Direct) for unreimbursed expenditures associated with the provision of medical services to the medically indigent and the general operational expenses of the nine facilities in the Health Care Services Division	\$ 35,600,000"
--	----------------

AMENDMENT NO. 306

On Page 248, delete lines 21 through 25, in their entirety

AMENDMENT NO. 307

On Page 248, between lines 25 and 26, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Infrastructure and Park Fund for infrastructure improvements to the Washington Parish Library, in accordance with R.S. 47:332.8	\$ 10,000
---	-----------

Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Infrastructure and Park Fund to Franklinton Area Economic Development, in accordance with R.S. 47:332.8	\$ 20,000
---	-----------

Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Infrastructure and Park Fund to the Washington Parish Industrial Development Foundation, in accordance with R.S. 47:332.8	\$ 20,000"
---	------------

AMENDMENT NO. 308

On Page 249, delete lines 7 through 9, in their entirety

AMENDMENT NO. 309

On Page 250, line 39, delete "\$200,000" and insert "\$100,000"

AMENDMENT NO. 310

On Page 251, line 14, delete "\$10,000" and insert "\$5,000"

AMENDMENT NO. 311

On Page 251, line 21, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 312

On Page 251, delete lines 22 through 24, in their entirety

AMENDMENT NO. 313

On Page 251, line 31, delete "\$55,000" and insert "\$27,500"

AMENDMENT NO. 314

On Page 251, line 34, delete "\$15,000" and insert "\$7,500"

AMENDMENT NO. 315

On Page 251, line 37, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 316

On Page 251, line 40, delete "\$75,000" and insert "\$37,500"

AMENDMENT NO. 317

On Page 251, line 42, delete "\$150,000" and insert "\$75,000"

AMENDMENT NO. 318

On Page 251, line 45, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 319

On Page 251, line 48, delete "\$125,000" and insert "\$62,500"

AMENDMENT NO. 320

On Page 252, line 3, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 321

On Page 252, line 8, delete "\$65,000" and insert "\$32,500"

AMENDMENT NO. 322

On Page 252, delete lines 9 and 10, in their entirety

AMENDMENT NO. 323

On Page 252, line 12, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 324

On Page 252, line 21, delete "\$100,000" and insert "\$50,000"

AMENDMENT NO. 325

On Page 252, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct) for the Louisiana Leadership Institute	\$ 150,000
---	------------

Payable out of the State General Fund (Direct)
to the School and Community Support Program
for the After School Study Program in Caddo

Parish	\$ 150,000	Payable out of the State General Fund (Direct) for the American Bowling Conference	\$ 75,000
Payable out of the State General Fund (Direct) for the Homemakers' Program in Caddo Parish	\$ 150,000	Payable out of the State General Fund (Direct) for operational expenses relating to the Grief Center of Lafayette	\$ 30,000
Payable out of the State General Fund (Direct) for the Youth Development Association of New Orleans	\$ 300,000	Payable out of the State General Fund (Direct) to the Wilbert Tross, Sr. Community Development and Counseling Center for after school and youth services programs	\$ 75,000
Payable out of the State General Fund (Direct) for the Alsen and Chaneyville Fire Departments	\$ 20,000	Payable out of the State General Fund (Direct) to the Lower Algiers Community Center, Inc. for community based programs, including the Inter-Generational Education Program	\$ 75,000
Provided, however, of the funding appropriated herein, \$15,000 shall be allocated to the Alsen Fire Department and \$5,000 shall be allocated to the Chaneyville Fire Department.		Payable out of the State General Fund (Direct) for Juvenile Rehabilitation Program of the Slidell City Court	\$ 30,000
Payable out of the State General Fund (Direct) for the Baton Rouge Marine Institute At-Risk youth program	\$ 15,000	Payable out of the State General Fund (Direct) for the Princess Theater in Winnsboro	\$ 25,000
Payable out of the State General Fund (Direct) for downtown development efforts for the city of Leesville	\$ 25,000	Payable out of the State General Fund (Direct) for the Cleary Golden Age Club	\$ 25,000
Payable out of the State General Fund (Direct) for the Inner City AIDS Awareness Project of New Orleans	\$ 80,000	Payable out of the State General Fund (Direct) for the Miley Golden Age Club	\$ 25,000
Payable out of the State General Fund (Direct) for the City of Refuge	\$ 50,000	Payable out of the State General Fund (Direct) for the Delta Golden Age Club	\$ 25,000
Payable out of the State General Fund (Direct) for the Nellie Byers Training Center	\$ 25,000	Payable out of the State General Fund (Direct) for the Girard Golden Age Club	\$ 25,000
Payable out of the State General Fund (Direct) to Fire District No. 1 and Fire District No. 2 in Tangipahoa Parish, to be divided equally among the districts	\$ 60,000	Payable out of the State General Fund (Direct) for the Bright Golden Age Club	\$ 25,000
Payable out of the State General Fund (Direct) for the Bossier/Webster Truancy Assessment and Service Center	\$ 75,000	Payable out of the State General Fund (Direct) for the Metairie Senior Center	\$ 25,000"
Payable out of the State General Fund (Direct) for the Cancer Awareness and Wellness Project of New Orleans	\$ 50,000	<u>AMENDMENT NO. 326</u>	
Payable out of the State General Fund (Direct) to the Louisiana Center Against Poverty	\$ 300,000	On Page 252, between lines 23 and 24, insert the following:	
Payable out of the State General Fund (Direct) for the city of Mansfield	\$ 50,000	"State-Federal Trust Fund for deposit into the Transportation Trust Fund-Regular	\$ 690,000"
Payable out of the State General Fund (Direct) to the Northeast Louisiana Delta African-American Museum	\$ 50,000	<u>AMENDMENT NO. 327</u>	
Payable out of the State General Fund (Direct) for the city of Greenwood	\$ 20,000	On page 252, line 32, change "9,197,457" to "9,887,457"	
Payable out of the State General Fund (Direct) for Tensas Reunion	\$ 25,000	<u>AMENDMENT NO. 328</u>	
Payable out of the State General Fund (Direct) to Novice House	\$ 25,000	On page 252, line 38, change "\$500,000" to "\$500,000"	
Payable out of the State General Fund (Direct) for the Arna-Bontemps African American Museum	\$ 75,000	<u>AMENDMENT NO. 329</u>	
		On page 252, between lines 38 and 39, insert:	
		"Federal Funds	\$ 690,000"
		<u>AMENDMENT NO. 330</u>	
		On page 252, line 39, change "9,197,457" to "9,887,457"	
		<u>AMENDMENT NO. 331</u>	

Page 102 HOUSE

45th Day's Proceedings - June 19, 2003

On Page 252, delete line 43, and insert the following:

"Court, in the event that House Bill No. 1776
or Senate Bill No. 828 of the"

AMENDMENT NO. 332

On Page 253, delete lines 10 through 12, in their entirety

AMENDMENT NO. 333

On Page 253, between lines 30 and 31, insert the following:

"Payable out of the State General Fund (Direct)
to the National Oceanic Atmospheric
Administration for reimbursement of interest
earnings on Federal Funds advance for the
Leeville Bridge Design Project, in accordance
with Cash Management Act procedures, be
it more or less estimated at \$ 23,000"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill
No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee No. 1 proposed by the Senate Committee on
Finance and adopted by the Senate on June 17, 2003, on page 1, line 2,
change "137,568,000" to "\$142,568,000"

AMENDMENT NO. 2

In Senate Committee Amendment No. 86 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 10, delete lines 25 through 30 in their entirety

AMENDMENT NO. 3

In Senate Committee Amendment No. 136 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 17, line 8, between "that" and "Senate" insert "House Bill No.
1904 or"

AMENDMENT NO. 4

In Senate Committee Amendment No. 181 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 20, at the end of line 30, change "Board" to a dash "-" and on line
31, change "of Supervisors" to "A&M College"

AMENDMENT NO. 5

In Senate Committee Amendment No. 222 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 25, line 8, after "operations" insert "through the Office of Social
Service Research and Development at Louisiana State University -
A&M college"

AMENDMENT NO. 6

In Senate Committee Amendment No. 227 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 25, at the end of line 18, change "\$1,050,949,392" to
"\$1,050,588,160"

AMENDMENT NO. 7

In Senate Committee Amendment No. 228 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 25, at the end of line 20, change "\$1,050,949,392" to
"\$1,050,588,160"

AMENDMENT NO. 8

In Senate Committee Amendment No. 231 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 25, at the end of line 20, change "\$1,050,949,392" to
"\$1,050,588,160"

AMENDMENT NO. 9

On Page 16, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by
Interagency Transfers to the Executive
Administrative Program for consolidation
of Information Technology functions within
State government,
including one (1) position \$ 758,169"

AMENDMENT NO. 10

On page 62, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct)
for the CITGO Bassmasters tournament in
Monroe \$ 15,000"

Payable out of the State General Fund (Direct)
for the New Orleans Visitors and Information
Center \$ 50,000"

AMENDMENT NO. 11

On page 93, delete line 24 in its entirety

AMENDMENT NO. 12

On page 121, line 8, delete "(345)" and insert "(333)"

AMENDMENT NO. 13

On page 166, line 39, change "208,118,590" to "207,757,358"

AMENDMENT NO. 14

On page 167, line 50, change "312,898,357" to "312,537,125"

AMENDMENT NO. 15

In Senate Committee Amendment No. 232 proposed by the Senate
Committee on Finance and adopted by the Senate on June 17, 2003, on
page 26, delete lines 2 through 14 in their entirety

AMENDMENT NO. 16

On page 169, between lines 26 and 27, insert the following:

"Payable out of the State General Fund By
Interagency Transfer for the Truancy Assessment
and Service Centers (TASC) operations associated
with Temporary Assistance for Needy Families
(TANF) \$ 2,430,192"

Payable out of the State General Fund by
Interagency Transfers for Truancy Assessment
and Service Centers (TASC) operations \$ 1,925,512

Provided, however, none of the funds allocated herein to Louisiana State University - A&M College for TASC operations through the Office of Social Service Research and Development shall be used for indirect finance and administration costs."

AMENDMENT NO. 17

On page 239, delete lines 32 through 37, and insert in lieu thereof the following:

"Average total number of offenders housed per day	17,176
Average number of adults housed per day	17,036
Average number of adults housed per day in work release	700
Average number of juveniles housed per day	140
Percentage of adult inmate population in local jails	47.14%
Percentage of juvenile inmate population housed in local jails	10.50%"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In SCA No. 2 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 1, delete lines 6 through 10 and insert the following:

"State General Fund (Direct) appropriations contained in this Act by seven-tenth of one percent (.7%) across-the-board, or so much thereof more or less as may be necessary, to effect a savings of \$15,800,000. For the purposes of this reduction, discretionary expenditures shall not include expenditure items described as non-discretionary in the Fiscal Year 2003-2004 Executive Budget."

AMENDMENT NO. 2

In SCA No. 2 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 1, delete lines 19 through 35 in their entirety

AMENDMENT NO. 3

In SCA No. 76 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 8, line 19, change "25,000" to "75,000"

AMENDMENT NO. 4

In SCA No. 78 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 8, line 34, change "150,000" to "75,000"

AMENDMENT NO. 5

In SCA No. 80 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 10, line 5, change "20,000" to "15,000"

AMENDMENT NO. 6

In SCA No. 133 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 16, delete lines 16 through 20 in their entirety

AMENDMENT NO. 7

In SCA No. 215 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 30, change "97,827,308" to "95,577,308"

AMENDMENT NO. 8

In SCA No. 216 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 32, change "97,827,308" to "95,577,308"

AMENDMENT NO. 9

In SCA No. 217 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 34, change "41,170,322" to "38,920,322"

AMENDMENT NO. 10

In SCA No. 218 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 22, change "97,827,308" to "95,577,308"

AMENDMENT NO. 11

In SCA No. 238 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 27, delete lines 19 through 21 in their entirety

AMENDMENT NO. 12

In SCA No. 307 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 34, at the end of lines 21 and 26, change "20,000" to "15,000"

AMENDMENT NO. 13

In SCA No. 325 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 36, delete lines 12 and 13 in their entirety and insert in lieu thereof the following:

"for Inner City HIV AIDS and Cancer Awareness Project	\$ 80,000"
---	------------

AMENDMENT NO. 14

In SCA No. 325 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 36, delete line 26 and insert in lieu thereof "to the Cancer, Obesity, and Wellness Project"

AMENDMENT NO. 15

On page 7, line 29, change "Year" to "Years 2001-2002 and"

AMENDMENT NO. 16

On page 12, line 23, change "110,000" to "50,000"

AMENDMENT NO. 17

On page 14, line 3, change "87,429,390" to "86,429,390"

AMENDMENT NO. 18

Page 104 HOUSE

45th Day's Proceedings - June 19, 2003

On page 15, line 45, change "185,944,995" to "184,944,995"

AMENDMENT NO. 19

On page 15, line 53, change "3,000,000" to "2,000,000"

AMENDMENT NO. 20

On page 15, line 55, change "185,944,995" to "184,944,995"

AMENDMENT NO. 21

On page 16, delete lines 16 through 18 in their entirety

AMENDMENT NO. 22

On page 20, between lines 2 and 3, insert the following:

"Provided, however, that two (2) additional positions will have the responsibility for the implementation and operation of the Strategies To Empower People (STEP) program funded through the Temporary Assistance to Needy Families (TANF) block grant provided through the Department of Social Services, Office of Family Support. Such positions shall only be available to the extent TANF block grant funding is made available to support these activities."

AMENDMENT NO. 23

On page 33, delete lines 21 through 23 in their entirety

AMENDMENT NO. 24

On page 62, between lines 15 and 16, insert the following:

"Provided, however, of the monies appropriated herein out of the State General Fund (Direct), the amount of \$30,000 shall be allocated for women's bass fishing tournaments.

Payable out of the State General Fund (Direct) for the Southern University - New Orleans Urban Tourism and Marketing Program	\$ 100,000"
--	-------------

AMENDMENT NO. 25

On page 87, line 36, change "1,500,000" to "2,000,000"

AMENDMENT NO. 26

On page 99, line 8, change "180,000" to "90,000"

AMENDMENT NO. 27

On page 100, line 43, change "165,160,053" to "72,360,053"

AMENDMENT NO. 28

On page 101, line 26, change "165,160,053" to "72,360,053"

AMENDMENT NO. 29

On page 101, line 28, change "52,779,735" to "6,379,735"

AMENDMENT NO. 30

On page 101, line 33, change "108,318,178" to "61,918,178"

AMENDMENT NO. 31

On page 101, line 34, change "165,160,053" to "72,360,053"

AMENDMENT NO. 32

On page 101, between lines 34 and 35, insert the following:

"GOVERNOR'S SUPPLEMENTARY BUDGET RECOMMENDATIONS

(Contingency upon Fiscal Year 2002-2003 Debt Defeasance)

EXPENDITURES:

For the Medical Vendor Administration	\$ 92,800,000
---------------------------------------	---------------

TOTAL EXPENDITURES	\$ 92,800,000
--------------------	---------------

MEANS OF FINANCE:

State General Fund (Direct)	\$ 46,400,000
-----------------------------	---------------

Federal Funds	\$ 46,400,000
---------------	---------------

TOTAL MEANS OF FINANCING	\$ 92,800,000"
--------------------------	----------------

AMENDMENT NO. 33

On page 104, between lines 13 and 14, insert the following:

"Provided, however, that in the event the department is required, due to budgetary constraints, to limit or reduce Medicaid claims reimbursements for inpatient hospital services in the Payments to Private Providers Program, the department is hereby directed to implement these adjustments in such a manner that minimizes the impact on those hospitals serving a disproportionate share of Medicaid patients as a percent of total patient days, subject to the approval of the Centers for Medicare and Medicaid Services.

Provided, however, that the department is hereby directed to amend, subject to the approval of the Centers for Medicare and Medicaid Services, the current payment methodology for the reimbursement of uncompensated care costs payments to small, rural hospitals to establish a pool not to exceed \$1,200,000 to be reimbursed in amounts not to exceed \$300,000 of eligible costs to each of the four hospitals that will qualify for licensure by the department as a small, rural hospital in the event Senate Bill No. 500 of the 2003 Regular Session is enacted into law. Provided, further, that the payments from the pool authorized herein shall be funded out of the total amount allocated herein for payments of uncompensated care costs to small, rural hospitals.

EXPENDITURES:

For the Payments to Private Providers Program for increases in the Medicaid reimbursement rates and mileage paid for air ambulance transportation services

\$ 294,002

TOTAL EXPENDITURES	\$ 294,002
--------------------	------------

MEANS OF FINANCE:

State General Fund (Direct)	\$ 75,000
-----------------------------	-----------

Federal Funds	\$ 219,002
---------------	------------

TOTAL MEANS OF FINANCING	\$ 294,002"
--------------------------	-------------

AMENDMENT NO. 34

On page 130, line 53, change "1,500,000" to "2,000,000"

AMENDMENT NO. 35

On page 141, delete lines 11 through 13 in their entirety

AMENDMENT NO. 36

On page 145, between lines 35 and 36, insert the following:

"Payable out of the State General Fund (Direct)
for the Litter Abatement Program to be
administered by the Office of Environmental
Services, pursuant to R.S. 30:2532 \$ 200,000"

AMENDMENT NO. 37

On page 147, delete lines 19 through 21 in their entirety

AMENDMENT NO. 38

On page 150, between lines 34 and 35, insert the following:

"Provided, however, that within the Office of Workforce
Development/Job Training and Placement Program two (2) additional
positions will have the responsibility for the implementation and
operation of the Strategies To Empower People (STEP) program funded
through the Temporary Assistance to Needy Families (TANF) block
grant provided through the Department of Social Services, Office of
Family Support. Such positions shall only be available to the extent
TANF block grant funding is made available to support these activities."

AMENDMENT NO. 39

On page 164, delete lines 49 and 50 in their entirety

AMENDMENT NO. 40

On page 165, delete lines 1 and 2, and insert the following:

"Payable out of the State General Fund (Direct)
for Health Care Workforce Development at
Delgado Community College \$ 2,250,000"

AMENDMENT NO. 41

On page 165, between lines 19 and 20, insert the following:

"Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool activities \$ 69,000"

Provided, however, that the State General Fund (Direct) appropriation
above for the Performance and Quality Improvement Pool activities
shall be allocated in accordance with a plan adopted by the Board of
Regents and approved by the Division of Administration."

AMENDMENT NO. 42

On page 165, delete lines 20 through 22 in their entirety

AMENDMENT NO. 43

On page 167, between lines 47 and 48, insert the following:

"Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool
activities \$ 366,530"

Provided, however, that the State General Fund (Direct) appropriation
above for the Performance and Quality Improvement Pool activities
shall be allocated in accordance with a plan adopted by the LSU Board
of Supervisors and approved by the Board of Regents and the Division
of Administration.

Payable out of the State General Fund (Direct)
for payment of debt service payments for the
the LSU Charity Hospital Nursing Building \$ 1,000,000"

AMENDMENT NO. 44

On page 169, delete lines 3 through 5 in their entirety

AMENDMENT NO. 45

On page 170, delete lines 31 and 32 in their entirety

AMENDMENT NO. 46

On page 171, delete lines 35 through 37 in their entirety

AMENDMENT NO. 47

On page 175, delete lines 55 through 57 in their entirety

AMENDMENT NO. 48

On page 179, between lines 29 and 30, insert the following:

"Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool
activities \$ 200,247"

Provided, however, that the State General Fund (Direct) appropriation
above for the Performance and Quality Improvement Pool activities
shall be allocated to institutions within the Southern University System
in accordance with a plan adopted by the Southern University Board of
Supervisors and approved by the Board of Regents and the Division of
Administration."

AMENDMENT NO. 49

On page 180, delete lines 26 through 28 in their entirety

AMENDMENT NO. 50

On page 182, delete lines 56 through 58 in their entirety

AMENDMENT NO. 51

On page 185, between lines 24 and 25, insert the following:

"Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool
activities \$ 689,223"

Provided, however, that the State General Fund (Direct) appropriation
above for the Performance and Quality Improvement Pool activities
shall be allocated to institutions within the University of Louisiana
System in accordance with a plan adopted by the University of
Louisiana Board of Supervisors and approved by the Board of Regents
and the Division of Administration."

AMENDMENT NO. 52

On page 186, delete lines 24 through 26 in their entirety

AMENDMENT NO. 53

On page 187, delete lines 29 through 31 in their entirety

AMENDMENT NO. 54

On page 188, delete lines 38 through 40 in their entirety

AMENDMENT NO. 55

On page 189, delete lines 44 through 46 in their entirety

Page 106 HOUSE

45th Day's Proceedings - June 19, 2003

AMENDMENT NO. 56

On page 190, delete lines 53 through 55 in their entirety

AMENDMENT NO. 57

On page 191, delete lines 52 through 54 in their entirety

AMENDMENT NO. 58

On page 192, delete lines 52 through 54 in their entirety

AMENDMENT NO. 59

On page 193, delete lines 60 through 62 in their entirety

AMENDMENT NO. 60

On page 202, delete lines 16 through 18 in their entirety

AMENDMENT NO. 61

On page 228, delete lines 20 through 22 and insert the following:

"Payable out of funds appropriated as State General Fund (Direct) to Subgrantee Assistance for Fiscal Year 2003-2003, which remain unexpended or unencumbered as of June 30, 2003, and allocated pursuant to the cooperative endeavor agreement executed by the Louisiana Department of Education and the Tangipahoa Parish School Board on March 25, 2003, to be reappropriated to the School Accountability and Improvement Program for payment of claims by former employees of the Northwood Preparatory High School for earned but unpaid wages and benefits, but only in the event that House Bill No. 1157 of the 2003 Regular Session of the Legislature is enacted into law

	\$	300,000"
--	----	----------

AMENDMENT NO. 62

On page 248, between lines 25 and 26, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Infrastructure and Park Fund to the Rural Health Foundation, in accordance with R.S. 47:332.8

	\$	10,000"
--	----	---------

AMENDMENT NO. 63

On page 251, line 24, change "80,000" to "40,000"

AMENDMENT NO. 64

On page 252, line 10, change "175,000" to "87,500"

AMENDMENT NO. 65

On page 252, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct) for the Recreation and Park Commission of East Baton Rouge Parish Senior Citizens Programs	\$	5,000
Payable out of the State General Fund (Direct) to the American Power Boat Association	\$	25,000"

AMENDMENT NO. 66

On page 253, delete lines 31 through 33 in their entirety

AMENDMENT NO. 67

On page 253, lines 36, 37, 39, and 40, change "2,000,000" to "1,000,000"

AMENDMENT NO. 68

Delete SCA Nos. 3, 57, 70, 118, 196, 244, 254, 312, and 322 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 32, at the end of lines 53 and 54, change "25,757,138" to "24,980,904"

AMENDMENT NO. 2

On page 33, at the end of line 4, change "5,315,077" to "4,911,421"

AMENDMENT NO. 3

On page 33, at the end of line 5, change "7,724,262" to "7,351, 684"

AMENDMENT NO. 4

On page 33, at the end of line 7, change "25,757,138" to "24,980,904"

AMENDMENT NO. 5

On page 33, line 8, change "\$669,358" to "\$654,360"

AMENDMENT NO. 6

On page 36, delete lines 34 through 41 and insert in lieu thereof the following:

"Payable out of the State General Fund (Direct) to the Civil Program for civil legal services for the poor	\$	300,000
--	----	---------

Provided, however, that of the funds appropriated herein, the monies shall be divided equally among the following legal services corporations: Acadiana Legal Service Corporation, Capital Area Legal Services Corporation, Legal Services of North Louisiana, and Southeast Louisiana Legal Services Corporation."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 59, between lines 11 and 12, insert the following:

"Provided, however, that of the funds appropriated herein, \$100,000 shall be used for the operations of the Civil Rights Museum."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 127, between lines 14 and 15, insert the following:

"Provided, however, the funds allocated herein for domestic violence initiatives shall be distributed equitably statewide, including but not limited to major metropolitan areas such as New Orleans, Baton Rouge and Lafayette. Nothing shall preclude rural areas from receiving such funds in this allocation."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 223, line 11, delete "\$395,887,094" and insert "\$461,062,046"

AMENDMENT NO. 2

On page 227, line 18, delete "\$962,529,216" and insert "\$1,027,704,168"

AMENDMENT NO. 3

On page 227, line 25, delete "\$761,033,474" and insert "\$826,208,426"

AMENDMENT NO. 4

On page 227, line 26, delete "\$962,529,216" and insert "\$1,027,704,168"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Holden and Fontenot to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 228, between lines 19 and 20, insert the following:

"Provided, however, that the state of Louisiana, acting through the Department of Education, is hereby authorized to revert back to the City of Baker School Board certain payments due in Fiscal Year 2003-2004 from the City of Baker School Board to the state of Louisiana for the purpose of repaying funds appropriated to the Department of Education and loaned to the City of Baker School Board pursuant to Section 15 of Act No. 10 of the 1999 Regular Session of the Legislature.

Further provided, that the City of Baker School Board shall use the funds formerly payable to the state exclusively for: (1) instructional activities dealing directly with the interaction between teachers and students to include such items as salaries, employee benefits, purchased professional and technical services, instructional materials and supplies, and instructional equipment; (2) pupil support activities designed to assess and improve the well-being of students and to supplement the teaching process; and (3) instructional staff activities associated with assisting the instructional staff with the content and process of providing learning experiences for students."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 232, delete lines 51 through 58, and insert the following:

"In the event the student population at Special School District No. 2 Instruction is reduced due to a transition to other programs or secure facilities in Special School District No. 1 Instruction and juvenile student population increases or a Youthful Offender Program/Facility is established by the Department of Public Safety and Corrections for the provision of special education and related services to eligible Special Education students in the Special School District No. 1 facilities, any reduction in the operating expenses of Special School District No. 2 resulting from those actions shall be transferred to Special School District No. 1.

In the event the student juvenile offender population at Special District No. 1 Instruction or Special School District No. 2 Instruction is reduced due to a transition to other secure and non-secure facilities, any reduction in the operating expenses of Special School District No. 1 or Special School District No. 2 resulting from those actions shall be transferred to the Department of Public Safety and Corrections, Office of Youth Development, subject to the review and approval of the Joint Legislative Committee on the Budget, and shall only be used for the purpose of enhancing the community-based system of care for juvenile offenders."

AMENDMENT NO. 2

On page 233, delete lines 1 through 5, and insert the following:

"No later than the seventh of each month, Special School Districts shall submit to the Joint Legislative Committee on the Budget a monthly enrollment and expense report indicating the total number of students at both Special School District No. 1 Instruction and Special School District No. 2 Instruction, the number of students enrolled in special education programs, and the monthly budgeted and actual expenditures for the previous month."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 248, line 19, delete "(5%)" and insert "(4.5%)" and change "five percent" to "four and one-half percent"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 249, line 49, delete the figure "49,300,000" and insert in lieu thereof the figure "40,600,000"

AMENDMENT NO. 2

On page 250, line 5, delete the figure "49,300,000" and insert in lieu thereof the figure "40,600,000"

AMENDMENT NO. 3

On page 250, line 6, delete the figure "49,300,000" and insert in lieu thereof the figure "40,600,000"

SENATE FLOOR AMENDMENTS

Page 108 HOUSE

45th Day's Proceedings - June 19, 2003

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 103, delete lines 4 through 6 in their entirety

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel and Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"Provided, however, it is the intent of the legislature to provide waiver services whenever possible rather than state plan option services. Provided, further, that the Department of Health and Hospitals shall seek approval from the federal court in the case of "Barthelemy v. Hood" to shift the amounts allocated in the Payments to Private Providers Program for personal care attendant services from state plan option services to waiver services. Should the court fail to approve the plan for a full waiver program, then the Joint Legislative Committee on the Budget, in conjunction with the Department of Health and Hospitals, shall develop and adopt a plan in accordance with the court's orders."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"Provided, however, that of the total surplus remaining in excess of all means of financing as appropriated herein, and after ongoing program operational needs are met, such funds in Medical Vendor Payments recognized for Fiscal Year 2002-2003 to be carried forward and expended in Fiscal Year 2004 as authorized in this Schedule, \$1,500,000 shall be allocated for Long Term Acute Hospitals, subject to subsequent rulemaking and contingent upon approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"Provided, however, any amount of additional means of financing made available by reductions in Medicaid Medical Vendor payments to non-state governmental hospitals under the Upper Payment Limit procedure shall be utilized, after ongoing operational needs are met, to match federal funds to fully fund all payments to Rural Hospitals."

Rep. LeBlanc moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Futrell	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Carter, K	Erdey	Sneed
Doerge	Kennard	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Kenney, at 5:35 P.M., the House agreed to adjourn until Saturday, June 21, 2003, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Saturday, June 21, 2003.

ALFRED W. SPEER
Clerk of the House

